



VIRGIN ISLANDS

Commercial Vehicle Safety Plan

Federal Motor Carrier Safety Administration's Motor Carrier Safety Assistance Program

Fiscal Years 2021 - 2023

Date of Approval: June 10, 2021

FINAL CVSP



**U.S. Department of Transportation
Federal Motor Carrier Safety Administration**

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

The Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved accidents, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.209, 350.211 and 350.213](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before the due date each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. Currently, the State must submit a performance-based plan or annual update each year to receive MCSAP funds.

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview (FY 2021 - 2023)
- Part 2: Crash Reduction and National Program Elements (FY 2021 - 2023)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2021 - 2023)
- Part 4: Financial Information (FY 2021)
- Part 5: Certifications and Documents (FY 2021)

You will find that each of the five eCVSP parts listed above contains different subsections. Each subsection category will provide you with detailed explanation and instruction on what to do for completing the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit a 3-year plan or an Annual Update to a 3-year plan. As used within the eCVSP, the term 'State' means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

REMINDERS FOR FY 2021:

Multi-Year plans—All States will be utilizing the multi-year CVSP format. This means that objectives, projected goals, and activities in the plan will cover a full three-year period. The financial information and certifications will be updated each fiscal year.

Annual Updates for Multi-Year plans—States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will review the project plan submitted the previous year and indicate any updates for the upcoming fiscal year by answering the "Yes/No" question provided in each Section of Parts 1-3.

- If Yes is indicated selected, the information provided for Year 1 will be editable and State users can make any necessary changes to their project plan. (Note: Trend Analysis information that supports your current activities is not editable.) Answer carefully as there is only one opportunity to select "Yes" before the question is locked.
- If "No" is selected, then no information in this section will be editable and the user should move forward to the next section.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2020 plans. States must carefully review and update this information to reflect FY 2021 activities prior to submission to FMCSA. The financial information and certifications will be updated each fiscal year.

- Any information that is added should detail major programmatic changes. Do not include minor modifications that reflect normal business operations (e.g., personnel changes).
- Add any updates to the narrative areas and indicate changes by preceding it with a heading (e.g., FY 2021 update). Include descriptions of the changes to your program, including how data tables were modified.

Personally Identifiable Information - PII is information which, on its own or matched with other data, would permit identification of an individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized

individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

States are reminded **not** to include any PII in their CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

Part 1 Section 2 - Mission/Goal Statement**Instructions:**

Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.

NOTE: *Please do not include information on any other FMCSA grant activities or expenses in the CVSP.*

The mission of the U.S. Virgin Islands Police Department (VIPD) Office of Highway Safety's Motor Carrier Safety Assistnace Program is to reduce crash fatalities and injuries involving large commercial trucks and buses; as well as to increase the number of Commercial Motor Vehicle (CMV) inspections that are conducted annually; thus decreasing the number of incidents or potential risk of death or injuries in accordance with FMCSA's National CMV reduction fatality goals in order to maintain zero (0) crash fatalities in Fiscal Year 2019, 2020 and 2021.

Part 1 Section 3 - MCSAP Structure Explanation

Instructions:

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant.

NOTE: *Please do not include activities or expenses associated with any other FMCSA grant program.*

The Virgin Islands Office of Highway Safety (VIOHS) is the lead agency for the US Virgin Islands Motor Carrier Safety Assistance Program (MCSAP). Coordination and enforcement of all commercial vehicle activities is achieved through the US Virgin Islands Police Department.

The MCSAP program in the US Virgin Islands has been an educational conduit from its inception in 1995. The drivers are still being educated on the requirements of the MCSAP Program; however, enforcement occurs with local laws as it related to traffic safety. Commercial Motor Vehicles deemed unsafe are placed out-of-service and the drivers are notified to make all necessary repairs prior to placing the commercial motor vehicles back on the public roadways. The US Virgin Islands Office of Highway Safety/MCSAP will continue to participate in all national activities and initiatives.

The VIOHS MCSAP CVSP is overseen by a Coordinator who administers the program to ensure full compliance of the deliverables and all federal and local mandates. The position is territorial and oversight includes program requirements and activities on both island districts. The Coordinator reports to the VIOHS Director; the Director reports to the VIPD Commissioner who is the Governor's Representative. Vouchers and mandatory financial reports are completed by the Coordinator, reviewed and authorized by the Director and entered into Delphi by the VIOHS Fiscal Officer.

The USVI MCSAP program now has five (5) full time certified inspectors and two (2) part time certified inspectors, who operates under the VIOHS as a specialized unit. The VIPD continues to be under the monitoring stage of the Consent Decree. The inspectors are required to conduct MCSAP funded and eligible activities 100% of the time with the exception of when they are required to complete departmental in-service training. Additionally, these officers/inspectors may be pulled if the department declares a "State of Emergency"; as seen with hurricanes and the more recent Coronavirus COVID-19 pandemic which still continues to impact activities locally and nationally. This also may occur when officers/inspectors are pulled for security details or the need for increased police presence. In an effort to build the number of inspectors to generate the needed results the USVI, MCSAP will collaborate with the National Training Center (NTC) to train and certify new inspectors. Given the current circumstances some training will be conducted virtually, but certification will be done as mandated. The intent would be to increase the number of inspectors from five (5) full time to eight (8) full time inspectors in the Territory. The additional inspectors will be distributed evenly per district. The aim will also be to add two (2) more part-time inspectors to be distributed evenly per district based on scheduled days determined by the Commander and the Director to conduct related activities. The recruitment challenges within the VIPD delays this process as interested officers transfers are delayed. When certified, training and re-certification standards needed for the inspectors must and will be maintained.

Traditionally, most States uses inspection activities to be charged under Overtime. However, the USVI MCSAP program pay stipends (an allowable cost) to the assigned full and part time inspectors. For accountability, stipends are only paid after the verification from the Director based on conducting inspections and other motor carrier related enforcement activities, including but not limited to carrier safety talks, presentations to trucking companies, weekly inspections (without setting a quota) and participation in community public education events, etc. Stipends are paid when the certifications are completed. If no activity can be verified as being done during a verification cycle stipends are not authorized or paid.

The US Virgin Islands MCSAP program is equipped with laptops and printers, and vehicles that are needed to assist in enhancing the inspector's job. Unfortunately, the Territory does not have size and weight stations in comparison to other states and territories. Therefore, the Territory intends to purchase various equipment deemed eligible, reasonable, and necessary to help supplement the program's inspection process. Equipment redeemed will be dispersed evenly throughout the Territory.

The USVI MCSAP program will coordinate with the National Highway Traffic Safety Administration (NHTSA) to make

signs, radio, and television spots with safety messages to remind all vehicular traffic that safety is our primary concern. Although the MCSAP Program will coordinate with NHTSA to promote "all vehicle safety," the MCSAP program will use funds solely for the activities of the Public Information and Education Plan geared towards commercial vehicles. As such, there will be no funds jointly spent with NHTSA to conduct these activities.

The Inspectors will continue to work with the Bureau of Motor Vehicles (BMV) to ensure that inspections are conducted on the registered commercial vehicles in the Territory. Safety procedures are constantly being placed in businesses in the Territory. This office intends to provide all of the training required for inspectors, and to continue offering specialized training to inspectors on an ongoing basis.

The USVI VIOHS has the following organizational structure:

VIPD Commissioner - Governor's Representative

VIOHS Director

Motor Carrier Coordinator

VIOHS Fiscal Officer

Motor Carrier Commanders & Inspectors - USVI has five (5) full-time inspectors and two (2) part time inspectors.



Part 1 Section 4 - MCSAP Structure**Instructions:**

Complete the following tables for the MCSAP lead agency, each subrecipient and non-funded agency conducting eligible CMV safety activities.

The tables below show the total number of personnel participating in MCSAP activities, including full time and part time personnel. This is the total number of non-duplicated individuals involved in all MCSAP activities within the CVSP. (The agency and subrecipient names entered in these tables will be used in the National Program Elements—Roadside Inspections area.)

The national program elements sub-categories represent the number of personnel involved in that specific area of enforcement. FMCSA recognizes that some staff may be involved in more than one area of activity.

Lead Agency Information	
Agency Name:	US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY
Enter total number of personnel participating in MCSAP activities	11
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	7
Traffic Enforcement Activities	7
Investigations *	0
Public Education and Awareness	8
Data Collection and Reporting	7
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	
Enter total number of personnel participating in MCSAP activities	0
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	0
Traffic Enforcement Activities	0
Investigations *	0
Public Education and Awareness	0
Data Collection and Reporting	0
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	1
Total # of MCSAP Participating Personnel:	11

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2021 - 2023 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

In past years, the program effectiveness summary trend analysis and performance goals were separate areas in the CVSP. Beginning in FY 2017, these areas have been merged and categorized by the National Program Elements as described in [49 CFR 350.109](#). This change is intended to streamline and incorporate this information into one single area of the CVSP based upon activity type.

Note: *For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the State Quarterly Report and CVSP Data Dashboard, and/or the CVSP Toolkit on the A&I Online website. The Data Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <http://ai.fmcsa.dot.gov/StatePrograms/Home.aspx>. A user id and password are required to access this system.*

In addition, States can utilize other data sources available on the A&I Online website as well as internal State data sources. It is important to reference the data source used in developing problem statements, baselines and performance goals/objectives.

Part 2 Section 2 - CMV Crash Reduction

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing commercial motor vehicle (CMV) related crashes.

Trend Analysis for 2015 - 2019

Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
 - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.

ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

Goal measurement as defined by your State: Actual # Fatal Crashes

If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	0	0	0
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	1	0	1
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0

MOTORCOACH/PASSENGER CARRIER CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: Actual # Fatal Crashes

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	0	0	0
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0

Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

Hazardous material is anything that is listed in the hazardous materials table or that meets the definition of any of the hazard classes as specified by Federal law. The Secretary of Transportation has determined that hazardous materials are those materials capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous material includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and all other materials listed in the hazardous materials table.

For the purposes of the table below, HM crashes involve a release/spill of HM that is part of the manifested load. (This does not include fuel spilled from ruptured CMV fuel tanks as a result of the crash).

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g., large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: Actual # Fatal Crashes

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	0	0	0
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0

Enter the data sources and capture dates of the data listed in each of the tables above.

The US Virgin Islands Traffic Statistic Report 2015-2019 is compiled from the VI Police Department's Report Beam system as of December 31, 2019.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

The US Virgin Islands currently has a relative low number of fatalities that are recorded within a year. Fortunately, none involves commercial vehicles. During the past five (5) years, the USVI experienced one (1) Traffic Fatality that involved commercial vehicles. Fortunately this did not involve hazardous materials or caused any spills or HM release. Through the newly established partnership between the US Virgin Islands and the District of Columbia, and continued partnership with the Puerto Rico Division, HM compliance will be monitored through HAZMAT efforts that will guarantee fatalities to remain at zero (0).

Narrative Overview for FY 2021 - 2023**Instructions:**

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.

The Territory did meet its goal of maintaining zero (0) commercial vehicle fatalities. The USVI MCSAP program will continue to conduct enforcement activities and education. Additionally, data is being collected to look at all contributing factors to include, time of day, location of crashes that may lead to fatalities for commercial and non-commercial vehicles. The chart below is reflective of the following: total amount of crashes territorially annually; total amount of commercial vehicle crashes annually; and percentage of crashes that involves commercial motor vehicles.

Year	Total Crashes	Commercial Vehicle Crashes	Commercial Motor Vehicle Percentage
2015	5,009	165	3.3%
2016	5,010	156	3.1%
2017	4,538	215	4.7%
2018	5,103	251	4.9%
2019	5,077	242	4.7%

The USVI MCSAP crash reduction goal is determined by compiling the amount of commercial vehicle crashes by year to determine the five-year baseline average. The baseline average of the total commercial vehicles crashes is **206**. Hence, it has been determined to establish the following crash reduction goal. The USVI will seek a five percent (5%) total reduction of Commercial Vehicle crashes from the five-year baseline average of 206 to **196** by September 30, 2021; **196** to **186** by September 30, 2022; and **186** to **177** by September 30, 2023.

Year	Goal	Percentage Reduction (Rounded to Nearest Whole Number)
2021	196	5%
2022	186	5%
2023	177	5%

Enter the data source and capture date:

Report Beam

Projected Goal for FY 2021 - 2023:

In the table below, state the crash reduction goal for each of the three fiscal years. The method of measurement

should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal could be 4 percent.

Fiscal Year	Annual Crash Reduction Goals
2021	10
2022	10
2023	9

As explained above the reduction goal for the next three (3) years is a combined overall crash reduction goals of fifteen percent (15%)

Program Activities for FY 2021 - 2023: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

The USVI MCSAP inspection program consists of one (1) Commander, two (2) Supervisors, three (3) full-time and two (2) part-time Inspectors. The MCSAP Commander arranges the overall coordination and oversight of enforcement and compliance activities and carrier safety talks requirements of the program, while the Supervisors schedules the days and types of inspections to be conducted. Inspectors are employed with the VI Police Department under a specialized unit created by the Commissioner. Inspectors are dispersed in two (2) Districts of the Territory; St. Thomas/St. John District has the Commander (who is an inspector); one (1) full time supervising inspector and one (1) full time inspector; in the St. Croix District has one (1) Supervisor (who is an inspector), one (1) full-time inspector, and one (1) part time inspector. The Territory conducts inspections using both paper and electronic methods.

The USVI MCSAP Program will coordinate with the Traffic Bureaus within the VIPD to accompany them during DUI checkpoints to ensure that commercial vehicle drivers are not driving under the influence of alcohol or other controlled substances. The USVI MCSAP Program will coordinate with the national mobilization initiatives aimed at removing impaired drivers. Enforcement officers from the VIPD's traffic units are trained in the use of Intoximeters. The Motor Carrier inspectors were previously a part of the Traffic Divisions in St. Croix and St. Thomas respectively that required them to be trained with effectively using intoximeters. Criminal interdiction activities, in conjunction with an appropriate CMV inspection, including human trafficking and activities affecting the transportation of controlled substances by any occupant of a CMV, and training on appropriate strategies for carrying out those interdiction activities will also be done. Additional training will be acquired through Commercial Vehicle Safety Association (CVSA); the University of Massachusetts and best practices site visits of other agencies within the FMCSA Regions. Trainings will aid in the revamping of resource and manpower deployment, to augment the dire need for officers/inspectors to receive specific trainings to ensure that they are competent and equipped to perform Motor Carrier related tasks.

With a focus shift and expansion efforts, officers will not only be trained from the Motor Carrier Program, but from the other bureaus of the VIPD eliminating officer's inability to intervene when offenses are encountered through the utilizations of train-the- trainer opportunities. Upon receipt of the Intoximeter Instructor Training Course the MCSAP Commander will provide additional training to other officers in the territory on the proper use of intoximeters. Once training is received the enforcement activities will take place throughout the Territory based on the establishment of the Department's enforcement calendar. To ensure that the detection of impaired driving is done with fidelity and accuracy, activities will be conducted under the supervision of the certified MCSAP Commander for the first two (2) enforcement activities. This process will aid for any corrections or on-site technical assistance to be given ensuring that all steps are followed for accurate detection. Full and unsupervised implementation of this initiative is expected by the end of Fiscal Year 2017, although activities will be conducted throughout the year. The inspectors operate as per Title 20 VI Code 493c. The full implementation of this initiative is expected to commence and continue through Fiscal Years 2018-2020.

The USVI Motor Carrier Program, through the VIPD, will liaise with our Federal law enforcement partners to obtain the most suitable training for roadside inspectors and other VIPD officers, to enable them to detect indicators of controlled substance trafficking. Instances may occur of trainings being conducted as refreshers and enhancements. Conversations have started to shed light on the importance of establishing a working relationship to have joint efforts for the carrying out of interdiction activities.

The current inspectors are trained on the correct protocol that is in place when controlled substance trafficking is suspected. As such, they will liaise with local High Intensity Drug Trafficking Agency (HIDTA) units, under the US Customs and Border Patrol (CBP) and provide the opportunity for inspectors under the MCSAP program to attend training and conferences that addresses Drug Evaluation and Classification when they become available. This training will be done through MOU agreements if considered necessary. This will lead to the continuation Interdiction activities that affects the transportation of controlled substances by CMV drivers and training on appropriate strategies for carrying out those interdiction activities. This activity will be performed jointly with US Customs and Border Patrol personnel and the VIPD's K9 and Narcotics Units. These activities will be completed and implemented fully throughout the fiscal period. The MCSAP activities and initiatives will utilize the technology and equipment purchased with previous year's funding This will support the local and federal agencies in the detection of drug interdiction activities throughout the Territory in which 98% of commerce are

imported.

The VIOHS MCSAP program will aim to complete approximately 870 inspections. This will cover 100% of the commercial vehicles that are registered in the Territory according to the VI Bureau of Motor Vehicles. Moreover, the MCSAP program will conduct continued traffic enforcement activities throughout the Territory. Activities will include CMV Traffic Enforcement Activities with Inspections; CMV Traffic Enforcement Activities without Inspections; Comprehensive and high visibility in high risk locations and corridors; and Non-CMV enforcement activities. Without setting a quota, these activities are each intended to have at least 50 stops with the strategy being to stop every third car while conducting these activities. Activities will be conducted and reported on a quarterly basis to report progress and determine program effectiveness.

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).

Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

Monthly detailed reports are required to be submitted to the Motor Carrier Coordinator by the Commander. These reports will be inclusive of traffic enforcement activities conducted; inspections completed and other program related activities. The programmatic reports will be completed by the Motor Carrier Coordinator for review by the VIOHS Director.

Part 2 Section 3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2021 - 2023.

Note: *In completing this section, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.*

Trend Analysis for 2015 - 2019

Inspection Types	2015	2016	2017	2018	2019
Level 1: Full	218	218	218	218	218
Level 2: Walk-Around	82	82	82	82	82
Level 3: Driver-Only	300	300	300	300	300
Level 4: Special Inspections	82	82	82	82	82
Level 5: Vehicle-Only	218	218	218	218	218
Level 6: Radioactive Materials	0	0	0	0	0
Total	900	900	900	900	900

Narrative Overview for FY 2021 - 2023

Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.

The USVI MCSAP inspection program consists of one (1) Commander, two (2) Supervisors and two (2) full-time and two (2) part time Inspectors. The MCSAP Commander arranges the overall coordination and oversight of enforcement and compliance activities and carrier safety talks requirements of the program, while the Supervisor is the one that schedules the days and types of inspections to be conducted. Inspectors are employed with the VI Police Department under a specialized unit created by the Commissioner of the VIPD. Inspectors are dispersed in two (2) Districts of the Territory; St. Thomas/St. John District has a Commander (who is an inspector); one (1) supervisor who is full time inspector and one (1) full time inspector ; in the St. Croix District has one (1) Supervisor (who is an inspector) and one (1) full-time and one (1) part time inspector. With successful certification of others, the number inspectors will increase to ten (10) with four (4) being in the program on a part time basis. The Territory conducts inspections using both paper and electronic methods. Therefore, quality is often measured based on verification of accuracy of violations issued. Violations are issued to drivers. Sanctions will be issued to drivers during inspections and to the company involved if applicable. The MCSAP Coordinator will follow-up on violations issued within 30 days to ensure compliance and resolution of violations.

The USVI Virgin Islands just as any state and or Territory has a Bureau of Motor Vehicles Division (BMV). Under the BMV all vehicles are inspected with a standard inspection process that checks for the following: operational brake lights, operational windshield wipers, working reverse lights, operational vehicle horn, and operational indicators. This is done with commercial and non-commercial vehicles respectively. All vehicles that pass the general inspection requirements receives a registration sticker that must be renewed on a annual basis. The VIOHS will partner with the BMV to receive the listing of all the commercial vehicles registered within the Territory are inspected. The Territory is required to do the general inspection process as described above. However, the inspections that are conducted under the USVI MCSAP program are that of the North American Inspection Standards that the inspectors are certified to conduct. There are no expenses for the BMV commercial vehicle inspection program that are associated with the USVI MCSAP program. As stated above, the BMV is only providing a listing to the USVI MCSAP program for the inspector to make sure all Commercial Vehicles are captured by the certified inspectors.

The individual inspection reports (hard copies) were shared with the State Director. The inspection reports are being done

and uploaded. However, they are being seen as completed in ASPEN, but are not being viewed in MCMIS. The IT Director and the Motor Carrier team attended the CVSA Data Management, Quality, and FMCSA Systems Workshop in Orlando, Florida. This aided in the opportunity of allowing the Territory to find out the additional steps needed to ensure that all uploads are seen in MCMIS. In the interim, hard copies of the inspections will continue to be collected to match and verify the amounts that were reported by the inspectors based on verification by the USVI MCSAP Coordinator.

The challenges of not having the inspection reports being viewed in MCMIS continues for the USVI. In FY2021, the USVI must ensure that an IT System Administrator is on staff to address this need.

Projected Goals for FY 2021 - 2023

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2021 - 2023. For FY 2021, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

Note: Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

MCSAP Lead Agency

Lead Agency is: US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY

Enter the total number of certified personnel in the Lead agency: 7

Projected Goals for FY 2021 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	300	40	0	340	39.08%
Level 2: Walk-Around	100	30	0	130	14.94%
Level 3: Driver-Only	100	30	0	130	14.94%
Level 4: Special Inspections	100	20	0	120	13.79%
Level 5: Vehicle-Only	100	50	0	150	17.24%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Lead Agency	700	170	0	870	

MCSAP subrecipient agency

Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.

Subrecipient is:

Enter the total number of certified personnel in this funded agency: 0

Projected Goals for FY 2021 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	%
Level 2: Walk-Around				0	%
Level 3: Driver-Only				0	%
Level 4: Special Inspections				0	%
Level 5: Vehicle-Only				0	%
Level 6: Radioactive Materials				0	%
Sub-Total Funded Agencies	0	0	0	0	

Non-Funded Agencies

Total number of agencies:	1
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2021:	

Summary

Projected Goals for FY 2021 - Roadside Inspections Summary

Projected Goals for FY 2021 Summary for All Agencies					
MCSAP Lead Agency: US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY					
# certified personnel: 7					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies: 1					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	300	40	0	340	39.08%
Level 2: Walk-Around	100	30	0	130	14.94%
Level 3: Driver-Only	100	30	0	130	14.94%
Level 4: Special Inspections	100	20	0	120	13.79%
Level 5: Vehicle-Only	100	50	0	150	17.24%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Total ALL Agencies	700	170	0	870	

Note: If the minimum numbers for Level 1 and Level 3 inspections are less than described in the [MCSAP Comprehensive Policy](#), briefly explain why the minimum(s) will not be met.

Note: States in Year 2 or Year 3 of a multi-year plan cannot edit the table shown below. It should be used as a reference.

Projected Goals for FY 2022 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	870	0	0	870
Enter total number of certified personnel	12	0	0	12
Projected Goals for FY 2023 Roadside Inspections				
Enter total number of projected inspections	870	0	0	870
Enter total number of certified personnel	12	0	0	12

Part 2 Section 4 - Investigations

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year.



The State does not conduct investigations. If this box is checked, the tables and narrative are not required to be completed and won't be displayed.

Part 2 Section 5 - Traffic Enforcement

Traffic enforcement means documented enforcement activities of State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes).

Trend Analysis for 2015 - 2019
Instructions:

Please refer to the [MCSAP Comprehensive Policy](#) for an explanation of FMCSA's traffic enforcement guidance. Complete the tables below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period being used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12-month period for which data is available).
2. Insert the total number CMV traffic enforcement stops with an inspection, CMV traffic enforcement stops without an inspection, and non-CMV stops in the tables below.
3. Insert the total number of written warnings and citations issued during the measurement period. The number of warnings and citations are combined in the last column.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
12/01/2019	12/30/2019	0	0
11/01/2019	11/30/2019	0	0
10/01/2019	10/30/2019	0	0
09/01/2019	09/30/2019	0	0
08/01/2019	08/30/2019	0	0

☐ The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
06/01/2017	07/31/2017	0	
04/01/2017	05/31/2017	0	
02/01/2017	03/31/2017	0	
12/31/2016	01/31/2017	0	
10/01/2016	11/30/2016	0	

☐ The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
06/01/2017	07/31/2017		
04/01/2017	05/31/2017		
02/01/2017	03/31/2017		
12/31/2016	01/31/2017		
10/01/2016	11/30/2016		

Enter the source and capture date of the data listed in the tables above.

The data presented reflects information gathered through the monthly inspection reports submitted by the unit Commander.

Narrative Overview for FY 2021 - 2023

Instructions:

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

In order to implement a Territory-wide CMV and non-CMV traffic enforcement program the Territory will conduct high-visibility traffic enforcement initiatives with inspection through the fiscal period including a combined effort with:
•Air/brake Inspections •Hazardous Materials Inspections •Load Securement Inspections •DUI Initiatives, etc.

To ensure safety and sufficient coverage, officers from the Commissioners Office will accompany inspectors in a joint effort to conduct enforcement on non-CMVs. MCSAP Inspectors in the Territory (who will be the lead) on a quarterly basis will be conducting initiatives between the hours of 8:00am – 4:00 pm. The locations of the initiatives would be: St. Croix 1.Container Port Road 2.Melvin Evans Highway 3.Grove Quarry 4.Aggregate Quarry North Shore Road St. Thomas 1.Charlotte Amalie Harbor 2.Sub Base Roads 3.Red Hook Road 4.Rhymer Highway St. John 1.Cruz Bay 2.Coral Bay. The quarterly activities mentioned above will be done as a group activity with the inspectors jointly. These activities are not reflective of the only activity that will be conducted in the Territory, but wanted to have this highlighted as our major initiatives that will be conducted.

Technical assistance has been sought to ensure that the effective upload of traffic enforcement data that are now being conducted on a daily basis to ensure that they are recorded and visible within A&I. Citations for speeding, reckless driving, seatbelts, etc are recorded. The Territory continues to struggle with these technical issues, and have reached out for possible resolution to ensure that the Territory is in full compliance. Proof of citations (through the means of hard copies) that are issued within the Territory are housed in the VIOHS. The Motor Coordinator will work with the VIPD IT Director and when hired the IT System Analyst to ensure that upload of this information occurs on a quarterly basis. An interim solution would be to scan and email as supporting documentation with the quarterly reports of proof that these activities have occurred.

The USVI MCSAP program through the FMCSA cloud portal would ensure that data collection of enforcement activities is reported on a quarterly basis with the upload of required documentation to the FMCSA Division Office in each PPR for the Division staff to upload the information to A&I. The copies of the citations that are issued within the quarter will be provided as an attachment as part of the reports that will be forwarded for review and approval.

The VIPD as part of its daily activities do conduct non-CMV enforcement activities. The activities include but are not limited to saturation patrol, checkpoints and other enforcement activities. Non-CMV enforcements are done for seatbelt, speeding, impaired driving, and distracted driving. As a result of high crash corridors and the Territory not having a designated

and safe inspection pit, these activities are done to enforce the importance of sharing the road safely in retrospect to the CMV driving population.

Projected Goals for FY 2021 - 2023

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2021 - 2023. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

Note: If you answer "No" to "Non-CMV" traffic enforcement activities, the State does not need to meet the average number of 2004/2005 safety activities because no reimbursement will be requested. If you answer "No" and then click the SAVE button, the Planned Safety Activities table will no longer be displayed.

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	25	25	35
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	25	25	35
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	100	100	50
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	4	4	10

In order to be eligible to utilize Federal funding for Non-CMV traffic enforcement, States must maintain an average number of safety activities which include the number of roadside inspections, carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2004 and 2005.

The table below displays the information you input into this plan from the roadside inspections, investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2004/2005 activities.

FY 2021 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2021 Activities	Average 2004/05 Activities
870	0	0	870	0

Describe how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

Extensive monitoring of activities that are conducted will be done during the fiscal year. There is a requirement in place for monthly reports to be submitted to evaluate program activities, goals, and objectives. To determine the effectiveness of the tasks completed, the following measures will be evaluated: • Number of inspections conducted and entered into ASPEN and uploaded. • Number and type of violations identified and citations issued or vehicles placed OOS • Number of officers who participate in initiatives and inspections • Number of interventions • Percentage of CMV drivers in compliance as compared to the number of vehicles stopped

Part 2 Section 6 - Safety Technology

Performance and Registration Information Systems Management (PRISM) is a condition for MCSAP eligibility in [49 CFR 350.207\(27\)](#). States must achieve full participation by October 1, 2020. FMCSA defines “fully participating” in PRISM for the purpose of determining eligibility for MCSAP funding, as when a State’s or Territory’s International Registration Plan (IRP) or CMV registration agency suspends or revokes and denies registration if the motor carrier responsible for safety of the vehicle is under any Federal OOS order and denies registration if the motor carrier possess an inactive or de-active USDOT number for motor carriers operating CMVs in commerce that have a Gross Vehicle Weight (GVW) of 26,001 pounds or more. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

PRISM, Operations and Maintenance (O&M) costs are eligible expenses subject to FMCSA approval. For Innovative Technology Deployment (ITD), if the State has an approved ITD Program Plan/Top-Level Design (PP/TLD) that includes a project that requires ongoing O&M, this is an eligible expense so long as other MCSAP requirements have been met. O&M expenses must be included and described both in this section and in the Spending Plan section per the method these costs are handled in the State’s accounting system (e.g., contractual costs, other costs, etc.).

Safety Technology Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year’s CVSP, please indicate that in the table below. Additionally, details must be in this section and in your Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Not Active	No
PRISM	Less Than Full Participation	No

Available data sources:

- [FMCSA website ITD information](#)
- [FMCSA website PRISM information](#)

Enter the agency name responsible for ITD in the State, if other than the Lead MCSAP Agency: VIPD Office of Highway Safety Motor Carrier Assistance Program

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: VIPD Office of Highway Safety Motor Carrier Assistance Program

Narrative Overview for FY 2021 - 2023**Problem Statement Narrative and Projected Goal:**

If the State’s PRISM compliance is less than full participation, describe activities your State plans to implement to achieve full participation in PRISM.

The USVI has began discussions with representatives of the PRISM program to begin work with the Territory. This will help the Territory to work towards coming in compliance. The intent is to develop a work plan with steps towards progression of full compliance. The Territory will seek to research best practices that other jurisdictions have put in place to expand efforts and practices that were put in place to ensure that the requirements of PRISM are met.

- The USVI MCSAP Program has had its initial briefing of the PRISM program by the Federal Motor Carrier Safety Administration (FMCSA) staff. This briefing gave the Territory an outline of the PRISM program and its benefits to the Territory’s safety initiatives.
- The next step will be for the USVI MCSAP program to identify the responsible parties, development of implementation timelines, cost estimates, etc. to develop a PRISM Implementation Plan to outline how the Territory will meet the program requirements and extended time frame for the Territory.
- A key component will be to have a dedicated IT System Analyst, for the VIOHS, who will be able to allocate the time necessary to allow the USVI to meet the extended deadline of the end of FY2021.

Program Activities for FY 2021 - 2023: Describe any actions that will be taken to implement full participation in PRISM.

- Participation in best practice site visits.
- Development of Territory-wide and Programmatic Action Plans.
- Technical Assistance conference calls to monitor progress, provide guidance, insight and expertise on steps the Territory have currently taken to meet its goals.
- Report progress to FMCSA as specified in their terms and conditions of the PRISM agreement.

The above mentioned are steps the VIOHS MCSAP program need to have in place to guarantee the implementation of full PRISM compliance by the end of FY 2021. Guidance and assistance will be sought to ensure that the Territory remains on track and can make necessary changes and adjustments to achieve this requirement.

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Monthly reports will be submitted to highlight and show activities that are conducted related to PRISM. These updates will be closely monitored looking at timelines that were slated for completion of program activities. If deficiencies are found, written notice will be provided by the VIOHS Director with a corrective action measure to ensure that all tasks are completed.

Part 2 Section 7 - Public Education and Outreach

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses.

Trend Analysis for 2015 - 2019

In the table below, provide the number of public education and outreach activities conducted in the past 5 years.

Public Education and Outreach Activities	2015	2016	2017	2018	2019
Carrier Safety Talks	2	4	1	2	3
CMV Safety Belt Education and Outreach	2	4	1	2	3
State Trucking Association Meetings	0	0	0	0	0
State-Sponsored Outreach Events	2	4	1	2	3
Local Educational Safety Events	2	4	1	2	3
Teen Safety Events	0	0	0	0	0

Narrative Overview for FY 2021 - 2023

Performance Objective: To increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.

Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safety initiatives. Include the number of personnel that will be participating in this effort.

- Create the Public Information and Education Plan
- Coordinate the activities of the plan according to the state timeline
- Print/ Disseminate Brochures
- Develop PSAs
- Conduct satisfaction surveys
- Attend radio and television talk shows
- Display banners along the roadside

Projected Goals for FY 2021 - 2023

In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.

			Performance Goals		
Yes	No	Activity Type	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	5	5	5
<input type="radio"/>	<input checked="" type="radio"/>	State Trucking Association Meetings	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	5	5	5
<input type="radio"/>	<input checked="" type="radio"/>	Teen Safety Events	0	0	0

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.

Part 3 - National Emphasis Areas and State Specific Objectives

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues, and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address the national emphasis areas/priorities outlined in the Notice of Funding Opportunity (NOFO) and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2021 - 2023).

Part 3 Section 1 - Enforcement of Federal OOS Orders during Roadside Activities**Instructions:**

FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an OOS order. In this part, States will indicate their catch rate is at least 85 percent by using the check box or completing the problem statement portion below.

Check this box if:

☒ As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal IH or UNSAT/UNFIT OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

Part 3 Section 2 - Passenger Carrier Enforcement**Instructions:**

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high risk carriers. Additionally, States are asked to allocate resources to participate in the enhanced investigations training being offered by FMCSA. Finally, States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.

Check this box if:

☒ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

Part 3 Section 3 - State Specific Objectives – Past

Instructions:

Describe any State-specific CMV problems that were addressed with FY 2020 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2020 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2020 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2020 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Activity #1

Activity: Describe State-specific activity conducted from previous year's CVSP.

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs

Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).

• Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections

Actual: Insert year to date progress (#, %, etc., as appropriate).

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information related to the inspection process and procedures; doing pre-check inspections; and the importance of maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201)"Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

Activity #2

Activity: Describe State-specific activity conducted from previous year's CVSP.

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs •

Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).

• Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections.

Actual: Insert year to date progress (#, %, etc., as appropriate).

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information

related to the inspection process and procedures; doing pre-check inspections; and the importance of maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201)"Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

The development of a comprehensive media plan requires the full buy in and participation of stakeholders. This plan was drafted, but was not fully implemented. However, the VIPD has hired a Public Information Officer that has assisted in ensuring that media outreach is realized. The MCSAP Coordinator has joined the newly revamped the Traffic Records Coordinating Committee that holds monthly meetings. Meeting are held with agencies such as the Virgin Islands Police Department (VIPD); Virgin Islands Office of Highway Safety (VIOHS); Superior Court of the Virgin Islands; Office of the Attorney General; Office of the Lieutenant Governor Division of Geographical Information Systems; Virgin Islands Bureau of Motor Vehicles (BMV); Virgin Islands Bureau of Information and Technology (BIT); VI Department of Public Works; and VI Department of Health/Emergency Medical Services. Several lessons have been learned. Partnership between the NHTSA programs that shares some of the common goals, except MCSAP catering mainly to commercial vehicles have occurred.

Activity #3

Activity: Describe State-specific activity conducted from previous year's CVSP.

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs

Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).

- Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections • Results of satisfaction survey

Actual: Insert year to date progress (#, %, etc., as appropriate).

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information related to the inspection process and procedures; doing pre-check inspections; and the importance of maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201)"Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

The challenges in FY2019 and in FY2020 were the shortage of manpower and the changes in leadership. The Motor Carrier Coordinator was absent on Military Leave for extended periods in FY2019 and for the entire FY2020 period to date. Therefore, the required focus needed for media outreach for commercial vehicle notifications was not realized.

Part 3 Section 4 - State Specific Objectives – Future**Instructions:**

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.

Describe any State-specific objective(s) identified for FY 2021 - 2023. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

State Objective #1***Enter the title of your State-Identified Objective.***

To develop a media outreach plan utilizing social, print and electronic media to promote commercial vehicle safety throughout the entire fiscal period. The plan will include but not be limited to ad placements on line (VIPD, VIOHS and BMV websites), Facebook, radio, television and print and online news magazines.

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

Projected Goals for FY 2021 - 2023:

Enter performance goal.

Program Activities for FY 2021 - 2023: Describe the activities that will be implemented including level of effort.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Part 4 - Financial Information

Part 4 Section 1 - Overview

The Spending Plan is an explanation of each budget component, and should support the cost estimates for the proposed work. The Spending Plan should focus on how each item will achieve the proposed project goals and objectives, and explain how costs are calculated. The Spending Plan must be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [2 CFR part 1201](#), [49 CFR part 350](#) and the [MCSAP Comprehensive Policy](#).

Before any cost is billed to or recovered from a Federal award, it must be allowable ([2 CFR §200.403](#), [2 CFR §200 Subpart E – Cost Principles](#)), reasonable and necessary ([2 CFR §200.403](#) and [2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA regulations and directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable and Necessary** costs are those which a prudent person would deem to be judicious under the circumstances.
- **Allocable** costs are those that are charged to a funding source (e.g., a Federal award) based upon the benefit received by the funding source. Benefit received must be tangible and measurable.
 - For example, a Federal project that uses 5,000 square feet of a rented 20,000 square foot facility may charge 25 percent of the total rental cost.

Instructions

The Spending Plan should include costs for FY 2021 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. Federal share is 85 percent of the total project costs for this FMCSA grant program.
- **State Share** means the portion of the total project costs paid by State funds. State share is 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute up to 15 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 15 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates an 85 percent Federal share and 15 percent State share automatically and populates these

values in each line. Federal share is the product of Total Project Costs x .85. State share equals Total Project Costs minus Federal share. If Total Project Costs are updated based upon user edits to the input values, the 85 and 15 percent values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must insure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed the FMCSA limit.
- Planned MOE Costs equal or exceed FMCSA limit.
- States' proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' proposed Total Project Costs are within \$5 of \$350,000.

ESTIMATED Fiscal Year Funding Amounts for MCSAP		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$52,465.00
MOE Baseline:	\$28,647.21

Part 4 Section 2 - Personnel

Personnel costs are salaries for employees working directly on a project.

Note: Do not include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the CVSP. Positions may be listed by title or function. It is not necessary to list all individual personnel separately by line. The State may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). Additional lines may be added as necessary to capture all your personnel costs.

The percent of each person's time must be allocated to this project based on the amount of time/effort applied to the project. For budgeting purposes, historical data is an acceptable basis.

Note: Reimbursement requests must be based upon documented time and effort reports. Those same time and effort reports may be used to estimate salary expenses for a future period. For example, a MCSAP officer's time and effort reports for the previous year show that he/she spent 35 percent of his/her time on approved grant activities. Consequently, it is reasonable to budget 35 percent of the officer's salary to this project. For more information on this item see [2 CFR §200.430](#).

In the salary column, enter the salary for each position.

Total Project Costs equal the Number of Staff x Percentage of Time on MCSAP grant x Salary for both Personnel and Overtime (OT).

If OT will be charged to the grant, only OT amounts for the Lead MCSAP Agency should be included in the table below. If the OT amount requested is greater than the 14.99 percent limitation in the MCSAP Comprehensive Policy (MCP), then justification must be provided in the CVSP for review and approval by FMCSA headquarters.

Activities conducted on OT by subrecipients under subawards from the Lead MCSAP Agency must comply with the 14.99 percent limitation as provided in the MCP. Any deviation from the 14.99 percent limitation must be approved by the Lead MCSAP Agency for the subrecipients.

Summary of MCSAP Funding Limitations

Allowable amount for Lead MCSAP Agency Overtime without written justification (14.99% of MCSAP Award Amount):	\$52,465.00
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Personnel: Salary and Overtime Project Costs**Salary Project Costs**

Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal)	Federal Share	MOE
Part-Time Inspectors	2	100.0000	\$3,250.00	\$6,500.00	\$6,500.00	\$0.00
COMMANDERS	1	100.0000	\$10,400.00	\$10,400.00	\$10,400.00	\$0.00
FISCAL OFFICER	1	20.0000	\$51,055.00	\$10,211.00	\$10,211.00	\$0.00
MOTOR CARRIER COORDINATOR	1	100.0000	\$51,055.00	\$51,055.00	\$51,055.00	\$0.00
INSPECTORS	2	100.0000	\$5,200.00	\$10,400.00	\$10,400.00	\$0.00
SUPERVISORS (SGTS)	2	100.0000	\$7,800.00	\$15,600.00	\$15,600.00	\$0.00
SYSTEM ANALYST	1	100.0000	\$60,000.00	\$60,000.00	\$60,000.00	\$0.00
Subtotal: Salary				\$164,166.00	\$164,166.00	\$0.00

Overtime Project Costs

Subtotal: Overtime				\$0.00	\$0.00	\$0.00
TOTAL: Personnel				\$164,166.00	\$164,166.00	\$0.00
Accounting Method:	Cash					

Enter a detailed explanation of how the personnel costs were derived and allocated to the MCSAP project.

Motor Carrier Coordinator: The employee reports directly to the Director and is responsible for overseeing the certification of inspectors, the operational plans for enforcement initiatives, implementation of portions of the CVSP, attending Traffic Records Committee meetings and maintaining the equipment inventory of the Federal Motor Carrier program in the Territory, preparing the reimbursement vouchers, and preparing monthly, quarterly and annual reports for submission to our federal partners. The employee also prepares the annual CVSP report.

Fiscal Officer: The employee reports directly to the Director. The employee serves as the accounting technical support for the fiscal transactions of the Federal grant programs within the VIOHS. Duties include independent processing of payments (invoices, grants, direct vouchers and purchase orders), preparation of related spreadsheets, maintenance of records for financial disbursements within the division, maintenance and reconciling of purchasing records for the program. Additionally, the employee handles the day-to-day maintenance of the financial records, monitoring of revenues and expenditures, and analysis of financial transactions.

Inspectors: Stipends are paid to the USVI MCSAP Commander (1), Supervisor (2) and Inspectors (5) for carrying out the day-to-day enforcement aspect of the grant. The Commander is responsible for coordination and oversight of inspections, enforcement and compliance activities, while the Supervisor is responsible for scheduling the days and types of inspections and partnership development with external partners and agencies. The VIPD continues to have limited staff, and is also under the mandates of a consent decree. As such, the inspectors who are senior and ranking staff within the VIPD and are part of committees as a requirement of the consent decree. Hence, weekly meetings, and routine travel is required. Therefore, stipends will only be paid based on the verification of motor carrier activities being conducted and reviewed by the Motor Carrier Coordinator and the VIOHS Director respectively.

[Correction 09/28/2020-Stipends are paid to the USVI MCSAP Commander \(1\), Supervisors \(2\), and Inspectors \(4\) for carrying out the day-to-day enforcement aspects of the grant.](#)

System Analyst: This position will provide the necessary support for the interface of the systems required by the inspectors to ensure that inspection reports are uploaded to the necessary system platforms to ensure that the VIOHS federal partners have access to the reports as needed. Currently, the VIPD IT unit has the necessary login access to ensure that the USVI information is uploaded but the interface is not being completed as mandated. The system analyst will also be responsible for downloading reports necessary for the required evaluations by the VIOHS Director. The position will be on a parttime basis of a minimum of 25 hours per week.

[Revision: The Analyst position has been changed to a full-time position dedicated to the Motor Carrier Program and reflects a salary of \\$60,000.00. As per the GVI Department of Personnel, the position title is now IT Project Analyst.](#)

Please see summary of costs below:

Position Title/Incumbent	Hourly Wage	No. of Hours Per Week	No. of Weeks	Salary
System Analyst	\$28.8440		26	\$60000.00

Position Title/ Incumbent	Hourly Wage	No. of Hours per Week	No. of Weeks	Salary
Motor Carrier Coordinator	\$24.54	40	52	\$51,055.00
Fiscal Officer	\$24.54	8	52	\$10,211.00
Inspectors (2) FT	\$200.00 per pay period	*varies	26	\$10,400.00
Inspectors (2) PT	\$135 per pay period	*varies	26	\$ 7,020.00
Supervisor (2)	\$300.00 per pay period	*varies	26	\$15,600.00
Commander (1)	\$400.00 per pay period	*varies	26	\$10,400.00

Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate approved by the applicant's Federal cognizant agency for indirect costs. If using an approved rate, a copy of the indirect cost rate agreement must be provided through grants.gov. For more information on this item see [2 CFR §200.431](#).

Show how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS Statewide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

The cost of fringe benefits are allowable if:

- *Costs are provided under established written policies.*
- *Costs are equitably allocated to all related activities, including Federal awards.*
- *Accounting basis (cash or accrual) selected for each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.*

Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc.

- *For each of these standard employer taxes, under Position you may list "All Positions," the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Part 4.2.*
- *The base multiplied by the respective rate would give the total for each standard employer tax. Workers' Compensation is rated by risk area. It is permissible to enter this as an average, usually between sworn and unsworn—any grouping that is reasonable and clearly explained in the narrative is allowable.*
- *Health Insurance and Pensions can vary greatly and can be averaged; and like Workers' Compensation, can sometimes be broken into sworn and unsworn.*

In the Position column include a brief position description that is associated with the fringe benefits.

*The **Fringe Benefit Rate** is:*

- *The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.*
- *For example, your agency pays 7.65 percent for FICA, 42.05 percent for health/life/dental insurance, and 15.1 percent for retirement. The aggregate rate of 64.8 percent (sum of the three rates) may be applied to the salaries/wages of personnel listed in the table.*

*The **Base Amount** is:*

- *The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.*
- *For example, if the total wages for all grant-funded staff is \$150,000 and the percentage of time on the grant is 50 percent, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is: $\$150,000 \times 64.8 \times 50\% / 100 = \$48,600$ Total Project Costs.*

Total Project Costs equal the Fringe Benefit Rate x Percentage of Time on MCSAP grant x Base Amount divided by 100.

Fringe Benefits Project Costs						
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal)	Federal Share	MOE
Part-Time Inspectors	7.6500	100.0000	\$6,500.00	\$497.25	\$497.25	\$0.00
COMMANDERS	7.6500	100.0000	\$10,400.00	\$795.60	\$795.60	\$0.00
FISCAL OFFICER	47.1470	20.0000	\$51,055.00	\$4,814.18	\$4,814.18	\$0.00
MOTOR CARRIER COORDINATOR	47.1460	100.0000	\$51,055.00	\$24,070.39	\$24,070.39	\$0.00
INSPECTORS	7.6500	100.0000	\$10,400.00	\$795.60	\$795.60	\$0.00
SUPERVISORS (SGTS)	7.6500	100.0000	\$15,600.00	\$1,193.40	\$1,193.40	\$0.00
PROGRAM ANALYST	54.6400	100.0000	\$60,000.00	\$32,784.00	\$32,784.00	\$0.00
TOTAL: Fringe Benefits				\$64,950.42	\$64,950.42	\$0.00

Enter a detailed explanation of how the fringe benefit costs were derived and allocated to the MCSAP project.

MOTOR CARRIER COORDINATOR

ITEMS	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	51055* .0765	\$3905.71
RETIREMENT	23.5% of salary	51055 * .235	\$11,997.92
WORKMEN'S COMPENSATION	0.75% of salary	51055*0.00752	\$383.80
HEALTH INSURANCE	15.24% of salary	51055*.1524	\$7,782.96
TOTAL PERCENTAGE	47.1460%	51055*.47.14	\$24,070.39

TOTAL: \$24,070.59

FISCAL OFFICER

ITEM	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	10211* .0765	\$781.14
RETIREMENT	23.5% of salary	10211* .235	\$2399.59
WORKMEN'S COMPENSATION	0.75% of salary	10211*.00752	\$76.86
HEALTH INSURANCE	15.24% of salary	10211*.1524	\$1556.59
TOTAL PERCENTAGE	47.14%	10211*.47.14	\$4,814.18

TOTAL: \$4,814.15

STIPENDS/INCENTIVE

ITEM	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	42,900.00* .0765	\$3,281.85

TOTAL: \$3,281.85

IT PROGRAM ANALYST

ITEM	FORMULA	CALCULATION	TOTAL
FICA	7.65% OF SALARY	$\$60,000.00 \times 0.0765$	\$ 4,590.00
RETIREMENT	23.5% of SALARY	$\$60,000.00 \times 0.235$	\$ 14,100.00
HEALTH INSURANCE	22.85% of SALARY	$\$60,000.00 \times 0.2285$	\$13,710.00
WORKMEN'S COMP	0.64% OF SALARY	$\$60,000.00 \times 0.0064$	\$ 384.00
TOTAL PERCENTAGE	54.64% OF SALARY	$\$60,000.00 \times 0.54064$	\$32,784.00

TOTAL: \$32,784.00

NOTE: Fringe benefits are calculated based on what is provide to us from the Department of Finance. Fringe benefits include: FICA; Retirement; Workmen's Compensation; and Health Insurance for each full-time employee. In the case of stipends, only FICA is calculated, as reflected above. Retirement is capped at \$65,000.00 per employee.

Part 4 Section 4 - Travel

Itemize the positions/functions of the people who will travel. Show the estimated cost of items including but not limited to, airfare, lodging, meals, transportation, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.474](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs						
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
Monthly Program Monitoring/other FMCSA Divisions	3	26	100.0000	\$12,105.00	\$12,105.00	\$15,000.00
CVSA Annual Conference & Exhibition (September)	2	6	100.0000	\$5,400.00	\$5,400.00	\$900.00
MCSAP Planning Meeting	3	4	100.0000	\$6,500.00	\$6,500.00	\$2,500.00
COHMED CONFERENCE	4	6	100.0000	\$10,800.00	\$10,800.00	\$5,449.00
TOTAL: Travel				\$34,805.00	\$34,805.00	\$23,849.00

Enter a detailed explanation of how the travel costs were derived and allocated to the MCSAP project.

Justification for Travel Above: The Territory consists of three islands where inspections and enforcement activities takes place. Those islands are St. Croix, St. Thomas, St. John. The MCSAP Coordinator is a Territorial position in which the Coordinator resides on the island of St. Croix. The only way to get to the other islands, is through air travel. The Commander is a Territorial position, and the Commander resides on St. Thomas. Inter-island travel is needed to provide supervision for the STX inspectors and ensure that inspections are being conducted in accordance with policy and procedures. The MCSAP program in the Territory is working on using best practices to improve program effectiveness. One of these ways is through detailed monitoring visits. In the past, the MCSAP program in the Territory has placed vehicles out-of-service, or required areas of improvement for the vehicles that are inspected. The MCSAP Commander and Coordinator will monitor the quality of the inspections conducted. Quality will be measured based on verification of accuracy of violations issued. Violations are issued to drivers. Sanctions will be issued to the drivers during inspections. The MCSAP Commander, Coordinator and the VIOHS Director will follow-up on violations issued within 30 days to ensure compliance and resolution of violations through the visitations of each trucking company with violations on St. Croix, St. Thomas, and St. John. In addition, monthly program monitoring will provide project management, on-site technical assistance if necessary, capacity building to get the word out about program initiatives, monitor the type and quantity of citations issued as compared to other officers to ensure program quality and effectiveness during on-site inspection monitoring. Additionally, the VIPD and the Commonwealth of Puerto Rico Service Commission will work on a revised and updated Memorandum of Understanding (MOU) that establishes an operation of joint training/education program to raise competency in FMCSA's Commercial Vehicle Safety programs; and assistance in the instruction and use of data and technology resources related to inspection standardization conforming FMCSA's procedures; and to work together to coordinate pertinent public information activities. Best practices are reviewed to identify and communicate any future trends, developments or programs in the MCSAP program areas that may have a positive impact on the general safety of the motorist population through the development of strategic planning.

CVSA Conference - 2 persons
Airfare - Estimated \$1200.00 for Director and Commander = \$2400.00
Hotel - \$215.00 per night x 6 nights for 2 persons = \$2,580.00; Transportation - Estimated vehicle rental - \$300.00
Per Diem \$75 per night x 6 nights for 2 persons = \$900.00; Baggage \$60 x 2 persons = \$120.00
Total - \$6,300.00

The impact of the Coronavirus COVID-19 may result in some aspects of the trainings being done on a virtual platform which may or maynot include participation fees. The USVI will adjust each planned out of Territory travel as needed as the fiscal period progresses.

Monthly Program Monitoring	
AIRFARE \$195.00 per person (MCSAP Coordinator, Commander & VIOHS Director) X 13 trips x 3 persons <i>Total: \$7,605.00</i>	
HOTEL \$175 per night X 26 nights 3 persons <i>Total: \$13,650.00</i>	
PER DIEM \$75 per night X 26 nights 3 persons <i>Total: \$5,850.00</i>	
Total: \$27,105.00	

MCSAP Planning Meeting	
AIRFARE \$1,200.00 per person (MCSAP Coordinator/ VIOHS Director/ VIOHS Fiscal officer) X 1 trip x 3 persons <i>Total: \$3,600.00</i>	
HOTEL \$175 per night X 4 nights 3 persons <i>Total: \$2,100.00</i>	
PER DIEM \$75 per night X 4 nights 3 persons <i>Total: \$900.00</i>	
Total: \$6,500.00	

COHMED CONFERENCE	
AIRFARE \$1,200.00 per person (HAZMAT CERTIFIED INSPECTORS & DIRECTOR) X 1 trip x 4 persons <i>Total: \$4,800.00</i>	
HOTEL \$175 per night X 6 nights 4 persons <i>Total: 4,200.00</i>	
PER DIEM \$75 per night X 6 nights 4 persons <i>Total: \$1,800.00</i>	
Total: \$10,800.00	

Justification for Travel Above: The training will allow the HAZMAT certified inspectors to learn best practices, network with other inspections and industry specialists, subject matter experts. Conference attendance will help the inspectors learn team learn about the successes and challenges of others, share ideas, build relationships, to help the USVI MCSAP program to achieve its mission.

Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the threshold amount. See [§200.12](#) Capital assets, [§200.20](#) Computing devices, [§200.48](#) General purpose equipment, [§200.58](#) Information technology systems, [§200.89](#) Special purpose equipment, and [§200.94](#) Supplies.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include the quantity, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP grant.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs						
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
TOTAL: Equipment				\$0.00	\$0.00	\$0.00
Equipment threshold is greater than \$5,000.						

Enter a detailed explanation of how the equipment costs were derived and allocated to the MCSAP project.

The USVI does not plan to purchase any equipment during the fiscal period.

Part 4 Section 6 - Supplies

Supplies means all tangible property other than that described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also §200.20 Computing devices and §200.33 Equipment.

Estimates for supply costs may be based on the same allocation as personnel. For example, if 35 percent of officers' salaries are allocated to this project, you may allocate 35 percent of your total supply costs to this project. A different allocation basis is acceptable, so long as it is reasonable, repeatable and logical, and a description is provided in the narrative.

Provide a description of each unit/item requested, including the quantity of each unit/item, the unit of measurement for the unit/item, the cost of each unit/item, and the percentage of time on MCSAP grant.

Total Project Costs equal the Number of Units x Cost per Unit x Percentage of Time on MCSAP grant.

Supplies Project Costs						
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
SUPPLIES	1	\$8,668.58	100.0000	\$8,668.58	\$8,668.58	\$0.00
TOTAL: Supplies				\$8,668.58	\$8,668.58	\$0.00

Enter a detailed explanation of how the supply costs were derived and allocated to the MCSAP project.

SPEED MEASURING DEVICES - Handheld stationary speed measuring devices to be used during enforcement activities by the inspectors; Decatur Scout device (example)

The number of devices and plus shipping has been revised. Six devices plus shipping for a total of \$8,668.58

TOTAL: \$8,668.58

CLEANING SUPPLIES ARE ACCOUNTED FOR USING THE MOE

Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

Contractual – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.22](#)). All contracts issued under a Federal award must comply with the standards described in [2 CFR §200 Procurement Standards](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.330](#) for details.

Subaward – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.92](#) and [2 CFR §200.330](#)).

Subrecipient - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.93](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

Enter the DUNS or EIN number of each entity. There is a drop-down option to choose either DUNS or EIN, and then the State must enter the corresponding identification number.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

Operations and Maintenance-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs						
Legal Name	DUNS/ EIN Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
TOTAL: Contractual and Subaward				\$0.00	\$0.00	\$0.00

Enter a detailed explanation of how the contractual and subaward costs were derived and allocated to the MCSAP project.

The Territory does not have any contractual and/or subaward project costs planned for the fiscal period.

Part 4 Section 8 - Other Costs

Other Costs are those not classified elsewhere and are allocable to the Federal award. These costs must be specifically itemized and described. The total costs and allocation bases must be explained in the narrative. Examples of Other Costs (typically non-tangible) may include utilities, leased property or equipment, fuel for vehicles, employee training tuition, meeting registration costs, etc. The quantity, unit of measurement (e.g., monthly, annually, each, etc.), unit cost, and percentage of time on MCSAP grant must be included.

Operations and Maintenance—If the State plans to include O&M costs that do not meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below. Please identify these costs as ITD O&M, PRISM O&M, or SSDQ O&M. Sufficient detail must be provided in the narrative that explains what components of the specific program are being addressed by the O&M costs.

Enter a description of each requested Other Cost.

Enter the number of items/units, the unit of measurement, the cost per unit/item, and the percentage of time dedicated to the MCSAP grant for each Other Cost listed. Show the cost of the Other Costs and the portion of the total cost that will be billed to MCSAP. For example, you intend to purchase air cards for \$2,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$400.

Total Project Costs equal the Number of Units x Cost per Item x Percentage of Time on MCSAP grant.

Indirect Costs

Information on Indirect Costs ([2 CFR §200.56](#)) is captured in this section. This cost is allowable only when an approved indirect cost rate agreement has been provided in the "My Documents" area in the eCVSP tool and through Grants.gov. Applicants may charge up to the total amount of the approved indirect cost rate multiplied by the eligible cost base. Applicants with a cost basis of salaries/wages and fringe benefits may only apply the indirect rate to those expenses. Applicants with an expense base of modified total direct costs (MTDC) may only apply the rate to those costs that are included in the MTDC base ([2 CFR §200.68](#)).

- **Cost Basis** — is the accumulated direct costs (normally either total direct salaries and wages or total direct costs exclusive of any extraordinary or distorting expenditures) used to distribute indirect costs to individual Federal awards. The direct cost base selected should result in each Federal award bearing a fair share of the indirect costs in reasonable relation to the benefits received from the costs.
- **Approved Rate** — is the rate in the approved Indirect Cost Rate Agreement.
- **Eligible Indirect Expenses** — means after direct costs have been determined and assigned directly to Federal awards and other activities as appropriate. Indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.
- **Total Indirect Costs** equal Approved Rate x Eligible Indirect Expenses divided by 100.

Your State will claim reimbursement for Indirect Costs.

Indirect Costs				
Cost Basis	Approved Rate	Eligible Costs	Total Indirect Costs	Federal Share
Other	16.20	\$350,000.00	\$56,700.00	\$56,700.00
TOTAL: Indirect Costs			\$56,700.00	\$56,700.00

Other Costs Project Costs						
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
CVSA Decal	2160 PIECE	\$0.35	100.0000	\$756.00	\$756.00	\$0.00
CVSA Annual Conference and Exhibition	2 Cost Per Participant	\$575.00	100.0000	\$1,150.00	\$1,150.00	\$0.00
CVSA Annual Membership	1 Cost Per Membership	\$5,300.00	100.0000	\$5,300.00	\$5,300.00	\$0.00
MAINTENANCE AND REPAIR OF VEHICLES	8 PER VEHICLE	\$2,000.00	50.0000	\$8,000.00	\$8,000.00	\$8,000.00
STORAGE FEES	12 1	\$402.00	100.0000	\$4,824.00	\$4,824.00	\$0.00
MI-FI USAGE	8 1	\$170.00	50.0000	\$680.00	\$680.00	\$680.00
TOTAL: Other Costs				\$20,710.00	\$20,710.00	\$8,680.00

Enter a detailed explanation of how the 'other' costs were derived and allocated to the MCSAP project.

INDIRECT COST RATE - The VIPD/VIOHS (as all USVI Government Agencies) receive the negotiated rate for use from the Office of Management and Budget (OMB). The rate information in Grants.gov and attached to this application is what the VIPD/VIOHS is authorized to use until a new rate is provided. The rate is not expired.

The other cost section lists other expenses that will be charge towards the grant thats within their own stand alone category. These are essential items that are apart of the program.

CVSA Decals - Decals necessary for use by the inspectors after each inspection of a commercial vehicle estimated cost of \$0.35 per decal.

CVSA Annual Conference - Estimated registration fees for attendance at the annual CVSA Conference for two persons - \$575.00 x 2 persons = \$1,150.00

CVSA Annual membership for the USVI 1year at \$5,300.00

Storage Fees - The units in the St. Thomas/St. John district currently does not have a designated office space. Therefore, the items are stored at a local storage facility which is accessed when the items are needed. The storage fees are \$402.00 per month = \$402 x 12 = \$4,824.00

MI-Fi Usage - Connectivity expense related to the internet access wherever the inspectors are conducting inspections to enable them to email information, queries, respond to companies and upload reports.- 8 devices at \$170 per device = \$1,360.00

Repairs and Maintenance of Vehicles is estimated at \$1000 per vehicle for tire repairs and replacements, oil changes, other unplanned repairs for two SUVs and six Chevy Tahoes.

Updated Indirect Cost Rate of 16.20%

Part 4 Section 9 - Comprehensive Spending Plan

The Comprehensive Spending Plan is auto-populated from all line items in the tables and is in read-only format. Changes to the Comprehensive Spending Plan will only be reflected by updating the individual budget category table(s).

ESTIMATED Fiscal Year Funding Amounts for MCSAP		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$52,465.00
MOE Baseline:	\$28,647.21

Estimated Expenditures			
Personnel			
	Federal Share	Total Project Costs (Federal)	MOE
Part-Time Inspectors	\$6,500.00	\$6,500.00	\$0.00
COMMANDERS	\$10,400.00	\$10,400.00	\$0.00
FISCAL OFFICER	\$10,211.00	\$10,211.00	\$0.00
MOTOR CARRIER COORDINATOR	\$51,055.00	\$51,055.00	\$0.00
INSPECTORS	\$10,400.00	\$10,400.00	\$0.00
SUPERVISORS (SGTS)	\$15,600.00	\$15,600.00	\$0.00
SYSTEM ANALYST	\$60,000.00	\$60,000.00	\$0.00
Salary Subtotal	\$164,166.00	\$164,166.00	\$0.00
Overtime subtotal	\$0.00	\$0.00	\$0.00
Personnel total	\$164,166.00	\$164,166.00	\$0.00

Fringe Benefits			
	Federal Share	Total Project Costs (Federal)	MOE
Part-Time Inspectors	\$497.25	\$497.25	\$0.00
COMMANDERS	\$795.60	\$795.60	\$0.00
FISCAL OFFICER	\$4,814.18	\$4,814.18	\$0.00
MOTOR CARRIER COORDINATOR	\$24,070.39	\$24,070.39	\$0.00
INSPECTORS	\$795.60	\$795.60	\$0.00
SUPERVISORS (SGTS)	\$1,193.40	\$1,193.40	\$0.00
PROGRAM ANALYST	\$32,784.00	\$32,784.00	\$0.00
Fringe Benefits total	\$64,950.42	\$64,950.42	\$0.00

Travel			
	Federal Share	Total Project Costs (Federal)	MOE
Monthly Program Monitoring/other FMCSA Divisions	\$12,105.00	\$12,105.00	\$15,000.00
CVSA Annual Conference &Exhibition (September)	\$5,400.00	\$5,400.00	\$900.00
MCSAP Planning Meeting	\$6,500.00	\$6,500.00	\$2,500.00
COHMED CONFERENCE	\$10,800.00	\$10,800.00	\$5,449.00
Travel total	\$34,805.00	\$34,805.00	\$23,849.00

Equipment			
	Federal Share	Total Project Costs (Federal)	MOE
Equipment total	\$0.00	\$0.00	\$0.00

Supplies			
	Federal Share	Total Project Costs (Federal)	MOE
SUPPLIES	\$8,668.58	\$8,668.58	\$0.00
Supplies total	\$8,668.58	\$8,668.58	\$0.00

Contractual and Subaward			
	Federal Share	Total Project Costs (Federal)	MOE
Contractual and Subaward total	\$0.00	\$0.00	\$0.00

Other Costs			
	Federal Share	Total Project Costs (Federal)	MOE
CVSA Decal	\$756.00	\$756.00	\$0.00
CVSA Annual Conference and Exhibition	\$1,150.00	\$1,150.00	\$0.00
CVSA Annual Membership	\$5,300.00	\$5,300.00	\$0.00
MAINTENANCE AND REPAIR OF VEHICLES	\$8,000.00	\$8,000.00	\$8,000.00
STORAGE FEES	\$4,824.00	\$4,824.00	\$0.00
MI-FI USAGE	\$680.00	\$680.00	\$680.00
Other Costs total	\$20,710.00	\$20,710.00	\$8,680.00

Total Costs			
	Federal Share	Total Project Costs (Federal)	MOE
Subtotal for Direct Costs	\$293,300.00	\$293,300.00	\$32,529.00
Indirect Costs	\$56,700.00	\$56,700.00	NA
Total Costs Budgeted	\$350,000.00	\$350,000.00	\$32,529.00

Part 4 Section 10 - Financial Summary

The Financial Summary is auto-populated by the system by budget category. It is a read-only document and can be used to complete the SF-424A in Grants.gov. Changes to the Financial Summary will only be reflected by updating the individual budget category table(s).

- The system will confirm that percentages for Federal and State shares are correct for Total Project Costs. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that Planned MOE Costs equal or exceed FMCSA funding limitation. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that the Overtime value does not exceed the FMCSA funding limitation. The edit check is performed on the **"Overtime subtotal"** line.

ESTIMATED Fiscal Year Funding Amounts for MCSAP		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$52,465.00
MOE Baseline:	\$28,647.21

Estimated Expenditures			
	Federal Share	Total Project Costs (Federal)	Planned MOE Costs
Salary Subtotal	\$164,166.00	\$164,166.00	\$0.00
Overtime Subtotal	\$0.00	\$0.00	\$0.00
Personnel Total	\$164,166.00	\$164,166.00	\$0.00
Fringe Benefits Total	\$64,950.42	\$64,950.42	\$0.00
Travel Total	\$34,805.00	\$34,805.00	\$23,849.00
Equipment Total	\$0.00	\$0.00	\$0.00
Supplies Total	\$8,668.58	\$8,668.58	\$0.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00
Other Costs Total	\$20,710.00	\$20,710.00	\$8,680.00
	Federal Share	Total Project Costs (Federal)	Planned MOE Costs
Subtotal for Direct Costs	\$293,300.00	\$293,300.00	\$32,529.00
Indirect Costs	\$56,700.00	\$56,700.00	NA
Total Costs Budgeted	\$350,000.00	\$350,000.00	\$32,529.00

Part 5 - Certifications and Documents

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the "My Documents" area on the State's Dashboard page.

Part 5 Section 1 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? TREVOR A. VELINOR
2. What is this person's title? USVI POLICE COMMISSIONER
3. Who is your Governor's highway safety representative? TREVOR A. VELINOR
4. What is this person's title? COMMISSIONER

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

- ☐ Yes
- ☐ No

State Certification declaration:

I, TREVOR A. VELINOR, USVI POLICE COMMISSIONER, on behalf of the Territory of VIRGIN ISLANDS, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the Territory satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

Part 5 Section 2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? TREVOR A. VELINOR
2. What is the title of your certifying State official? USVI POLICE COMMISSIONER
3. What are the phone # and email address of your State official? 340-715-5505; trevor.velinor@vipd.vi.gov

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ No

I, TREVOR A. VELINOR, certify that the Territory has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the Territory's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means Territory laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.

Part 5 Section 3 - New Laws/Legislation/Policy Impacting CMV Safety

Has the State adopted/enacted any new or updated laws (i.e., statutes) impacting CMV safety since the last CVSP or annual update was submitted?

☐ Yes ☒ No

Has the State adopted/enacted any new administrative actions or policies impacting CMV safety since the last CVSP?

☐ Yes ☒ No

Certifications required by 49 C.F.R. sections 350.211 and 350.213

Part 5 ECVSP

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP, as required by 49 C.F.R. sections 350.207, 350.211, 350.213, and 350.303. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the “My Documents” area on the State’s Dashboard page.

1 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? **TREVOR A. VELINOR**

2. What is this person's title? **USVI POLICE COMMISSIONER**

3. Who is your Governor's highway safety representative? **TREVOR A. VELINOR**

4. What is this person's title? **USVI POLICE COMMISSIONER**

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

Yes

Yes, uploaded certification document

No

State Certification declaration:

I, **TREVOR A. VELINOR**, on behalf of the State of **U.S. Virgin Islands** have the authority to make the following certification on behalf of the State. As a condition of approval of a grant under the authority of 49 U.S.C. section 31102, I certify that the State satisfies all conditions required to qualify for MCSAP funding, as specifically detailed in 49 C.F.R. section 350.207.

2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? TREVOR A. VELINOR
2. What is the title of your certifying State official? USVI POLICE COMMISSIONER
3. What are the phone # and email address of your State official? 340-715-5505
trevor.velinor@vipd.vi.gov

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

Yes

Yes, uploaded certification document

No

State Compatibility Review of Laws, Regulations, Standards, and Orders on CMV Safety Certification

I, **TREVOR A. VELINOR**, on behalf of the State of **U.S. Virgin Islands** have the authority to make the following certification on behalf of the State. I certify that the State has conducted the annual review required by 49 C.F.R. section 350.303 of its laws, regulations, standards, and orders on commercial motor vehicle (CMV) safety and that the State's safety laws, regulations, standards, and orders on CMV safety are compatible with the Federal Motor Carrier Safety Regulations (49 C.F.R. parts 390, 391, 392, 393, 395, 396, and 397) and the Hazardous Material Regulations (49 C.F.R. parts 107 (subparts F and G only), 171-173, 177, 178, and 180), except as may be determined by the Administrator to be inapplicable to a State enforcement program.

For the purpose of this certification, *compatible* means State laws, regulations, standards, and orders on CMV safety that:

- (1) As applicable to interstate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) If in addition to or more stringent than the FMCSRs, have a safety benefit, do not unreasonably frustrate the Federal goal of uniformity, and do not cause an unreasonable burden on interstate commerce when enforced;
- (2) As applicable to intrastate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) Fall within the limited variances from the FMCSRs allowed under 49 C.F.R. sections 350.305 or 350.307; and

(3) As applicable to interstate and intrastate commerce involving the movement of hazardous materials, are identical to the HMRs.

3 - New State Laws, Regulations, Standards, and Orders on CMV safety

The State will provide answers to the questions below regarding any new State laws, regulations, standards, and orders on CMV safety since the last CVSP or annual update that was submitted.

Has the State adopted/enacted any new or updated State laws, regulations, standards, and orders on CMV safety since the last CVSP or annual update was submitted?

Yes No

In the table below, please provide the bill number and effective date of any new legislation. Please include the code section that the bill amended and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

If there is no formal bill, please include a description of standards or orders on CMV safety and effective date and include a hyperlink or URL in the summary.

Law, Regulation, Standard, or Order Adoption			
Bill Number	Effective Date	Code Section Change	Summary of Change
28-0242	October 15, 2010	Title 20 1§390-§396	CMV Inspection and CDL

FY 2021 Certification of MCSAP Conformance (State Certification)

I, **TREVOR A. VELINOR**, **USVI Police Commissioner**, on behalf of the State (or Commonwealth) of U.S. Virgin Islands , as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

1. The State has designated (**Virgin Islands Office of Highway Safety**) as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and (**Virgin Islands Police Department**) to perform defined functions under the CVSP.
2. The State has assumed responsibility for and adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
3. The State will cooperate in the enforcement of financial responsibility requirements under 49 C.F.R. part 387.
4. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C §§ 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
5. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved.
6. The Lead State Agency and any subrecipient of MCSAP funds have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
7. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
8. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
9. The State will maintain the maintenance of effort required under 49 C.F.R. § 350.225.
10. The State requires that all reports required in the CVSP be available to FMCSA upon request, meets the reporting requirements, and uses the forms for recordkeeping, inspections, and investigations that FMCSA prescribes.
11. The State implements performance-based activities, including deployment and maintenance of technology, to enhance the efficiency and effectiveness of CMV safety programs.

12. The State dedicates sufficient resources to a program to ensure that accurate, complete, and timely motor carrier safety data are collected and reported, and to ensure the State's participation in a national motor carrier safety data correction system prescribed by FMCSA.
13. The State will ensure that the Lead State Agency will coordinate the CVSP, data collection, and information systems with the State highway safety improvement program under 23 U.S.C. § 148(c).
14. The State will ensure participation in information technology and data systems as required by FMCSA for jurisdictions receiving MCSAP funding.
15. The State will ensure that information is exchanged with other States in a timely manner.
16. The laws of the State provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
17. The State will conduct comprehensive and highly visible traffic enforcement and CMV safety inspection programs in high-risk locations and corridors.
18. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
19. The State will ensure that, except in the case of an imminent or obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops (excluding a weigh station).
20. The State will address activities in support of the national program elements listed in 49 C.F.R. § 350.203.
21. The State will ensure that detection of criminal activities and CMV size and weight enforcement activities described in 49 C.F.R. § 350.227(b) funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
22. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
23. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.
24. The State has in effect a requirement that registrants of CMVS demonstrate their knowledge of the applicable FMCSRs, HMRs, or compatible State laws, regulations, standards, and orders on CMV safety.

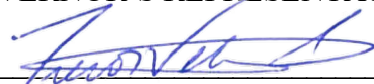
25. The State will transmit to its roadside inspectors at the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 C.F.R. §§ 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
26. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
27. The State willfully participates in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
28. The State will ensure that it cooperates in the enforcement of hazardous materials safety permits issued under subpart E of part 385 of this subchapter by verifying possession of the permit when required while conducting vehicle inspections and investigations, as applicable.
29. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
30. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 C.F.R. subpart D.

Date August 6, 2020

TREVOR A. VELINOR, USVI POLICE COMMISSIONER

USVI GOVERNOR'S REPRESENTATIVE

Signature





**Government of
The Virgin Islands of the United States**
- O -
VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF THE POLICE COMMISSIONER



Trevor A. Velinor
Police Commissioner

January 30, 2020

Joe Shea
Division Administrator
District of Columbia
US Virgin Islands
USDOT/FMCSA
1200 New Jersey Ave.
Washington, DC 20590

Police Operations and
Administrative Services
#45 Mars Hill, Frederiksted
St. Croix, U.S.V.I. 00840
(340)778-2211

Alexander Farrelly Justice Complex
Charlotte Amalie
St. Thomas, U.S.V.I. 00802
(340)774-2310

Leander Jurgen Command
Cruz Bay
St. John, U.S.V.I. 00830
(340)693-8880

Via: Email

Re: ***Current Negotiated Indirect Cost Rate for VIPD/VIOHS***

Dear Administrator Shea:

The Virgin Islands Police Department/Virgin Islands Office of Highway Safety (VIPD/VIOHS) is providing notification of the current negotiated Indirect Cost rate for the VIPD/VIOHS. The new rate is **16.20%** and is allocated as follows:

CENTRAL	-	4.52%
DEPARTMENTAL	-	11.68%

If you have any questions, please do not hesitate to contact me at daphne.oneal@vipd.vi.gov or (340) 714-9810/(340) 642-7939.

Respectfully,

01/30/2020

Daphne O'Neal
Director, VIOHS

Cc: Bernard McWay, FMCSA
Keya Canaii, Administrator VIPD

Attach: OMB Memo dated 12/31/2019
K. Bowry Email dated 01/07/2020



**GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS**



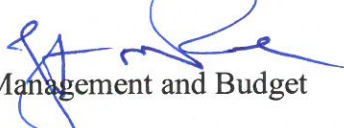
THE OFFICE OF MANAGEMENT AND BUDGET

**No. 5041 Norre Gade
Emancipation Gardens Station, 2nd Floor
Charlotte Amalie, St. Thomas, V.I. 00802**

**Tel: 340-774-0750
Fax: 340-776-0069**

MEMORANDUM

TO: Mr. Positive T. Nelson, Commissioner, Department of Agriculture
Ms. Raquel Berry-Benjamin., Commissioner, Department of Education
Ms. Justa Encarnacion, Commissioner, Department of Health
Ms. Kimberly Causey-Gomez, Commissioner, Department of Human Services
Ms. Denise George, Attorney General, Department of Justice
Mr. Gary Molloy, Commissioner, Department of Labor
Mr. Jean Pierre Oriol, Commissioner, Department of Planning and Natural Resources
Mr. Nelson M. Petty, Jr., P.E., Commissioner, Department of Public Works
Mr. Trevor Velinor, Commissioner, Virgin Islands Police Department
Col. Kodjo Knox-Limbaker, Adjutant General, VI Territorial Emergency Management Agency

FROM: Ms. Jenifer O'Neal 
Director, Office of Management and Budget

DATE: December 31, 2019

SUBJECT: Indirect Cost Negotiation Agreement – FY 2019

Attached for your information, records, and necessary action is a signed copy of the Indirect Cost Negotiation Agreement for FY 2019. Kindly communicate this information to your Federal grantor agencies.

OMB will forward separate correspondence to each Department/Agency with notification of the allocation of the total indirect cost rate into its component parts of the departmental indirect cost rate and the central services indirect cost rate.

If you have any questions, please contact Mr. Vincent Thomas, Associate Director, of the Federal Grants Management Unit (FGMU) at (340)774-0750 or your Senior Grants Analyst at the same telephone number.

Thank you for your attention to this matter.

Attachments

**State and Local Governments
Indirect Cost Negotiation Agreement**

EIN: 66-0431678

Organization:

Government of U.S. Virgin Islands
c/o Office of Management and Budget
No. 5041 Norre Gade
Emancipation Gardens Station, 2nd Floor
Charlotte Amalie, St. Thomas, VI 00802

Date: December 27, 2019

Report No(s) : 20-A-0391(19C)

Filing Ref.:

Last Negotiation Agreement
dated December 13, 2017

The indirect cost rates contained herein are for use on grants, contracts, and other agreements with the Federal Government to which 2 CFR Part 200 applies for fiscal years beginning on or after December 26, 2014 subject to the limitations in Section II.A. of this agreement. Applicable OMB Circulars and the regulations at 2 CFR 225 will continue to apply to federal funds awarded prior to December 26, 2014. The rates were negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in applicable regulations.

Section I: Rates

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Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	10/01/18	09/30/19	26.54%	All	Agriculture
Fixed Carryforward	10/01/18	09/30/19	13.73%	All	Human Services
Fixed Carryforward	10/01/18	09/30/19	31.29%	All	Justice
Fixed Carryforward	10/01/18	09/30/19	8.72%	All	Labor
Fixed Carryforward	10/01/18	09/30/19	22.45%	All	PNR (PR/DJ)
Fixed Carryforward	10/01/18	09/30/19	16.20%	All	Police
Fixed Carryforward	10/01/18	09/30/19	19.01%	All	Public Works
Fixed Carryforward	10/01/18	09/30/19	31.13%	All	VITEMA
<u>Unrestricted Rates 1/</u>					
Fixed Carryforward	10/01/18	09/30/19	24.02%	All	Education
Fixed Carryforward	10/01/18	09/30/19	16.60%	All	Health
<u>Restricted Rates 2/</u>					
<u>Department of Education</u>					
Predetermined	10/01/16	09/30/19	4.79%	All	Central Services
Predetermined	10/01/16	09/30/19	1.91%	All	Departmental
			6.70%		
<u>Department of Health</u>					
Predetermined	10/01/16	09/30/19	5.43%	All	Central Services
Predetermined	10/01/16	09/30/19	3.84%	All	Departmental
			9.27%		

1/ Applicable to all programs except as noted in 2/.

2/ Applicable to all Federal programs which require the use of a restricted rate as defined by 34 CFR 75.563 and CFR 76.563.

***Base:** Modified total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as payments to participants, stipends to eligible recipients, or subawards, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

A. Limitations: Use of the rate(s) contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate(s) agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

C. Changes: The rate(s) contained in this agreement are based on the accounting system in effect at the time the proposal was submitted. Changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate(s) in this agreement may require the prior approval of the cognizant agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Rate Type:

1. **Fixed Carryforward Rate:** A fixed carryforward rate is based on an estimate of the costs that will be incurred during the period for which the rate applies. When the actual costs for such periods have been determined, an adjustment will be made to the rate for future periods, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. **Provisional/Final Rates:** Within six (6) months after year end, a final indirect cost rate proposal must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

3. **Predetermined Rate:** A predetermined rate is an indirect cost rate applicable to a specified current or future period, usually the organization's fiscal year. The rate is based on an estimate of the costs to be incurred during the period. A predetermined rate is not subject to adjustment. (Because of legal constraints, predetermined rates are not permitted for Federal contracts; they may, however, be used for grants or cooperative agreements.)

E. Rate Extension: Only final and predetermined rates may be eligible for consideration of rate extensions. Requests for rate extensions of a current rate will be reviewed on a case-by-case basis. If an extension is granted, the non-Federal entity may not request a rate review until the extension period ends. In the last year of a rate extension period, the non-Federal entity must submit a new rate proposal for the next fiscal period.

F. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

G. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

H. Reimbursement Ceilings: Grantee/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rates in Section I of this agreement, the negotiated rates will be used to determine the maximum allowable indirect cost.

I. Use of Other Rates: If any federal programs are reimbursing indirect costs to this grantee/contractor by a measure other than the approved rate(s) in this agreement, the grantee/contractor should credit such costs to the affected programs, and the approved rate(s) should be used to identify the maximum amount of indirect cost allocable to these programs.

J. Central Service Costs: If the proposed central service cost allocation plan for the same period has not been approved by that time, the indirect cost proposal may be prepared including an amount for central services that is based on the latest federally-approved central service cost allocation plan. The difference between these central service amounts and the amounts ultimately approved will be compensated for by an adjustment in a subsequent period.

K. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate(s) if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. Indirect cost proposals must be developed (and, when required, submitted) within six (6) months after the close of the governmental unit's fiscal year, unless an exception is approved by the cognizant agency for indirect costs.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the State & Local Government:

Government of the U.S.

Virgin Islands

State/Local Government

Signature

Name (Type or Print)

Title

Date

By the Cognizant Federal Government
Agency:

U.S. Department of the Interior

Agency

MARK STOUT

Digitally signed by MARK STOUT
Date: 2019.12.27 13:58:54 -08'00'

Signature for

Craig A. Wills

Name

Division Chief

Indirect Cost Services Division

Title

U.S. Department of the Interior

Interior Business Center

Agency

Negotiated by Elena Chan

Telephone (916) 930-3824

Certifications required by 49 C.F.R. sections 350.211 and 350.213

Part 5 ECVSP

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP, as required by 49 C.F.R. sections 350.207, 350.211, 350.213, and 350.303. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the “My Documents” area on the State’s Dashboard page.

1 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? **TREVOR A. VELINOR**

2. What is this person's title? **USVI POLICE COMMISSIONER**

3. Who is your Governor's highway safety representative? **TREVOR A. VELINOR**

4. What is this person's title? **USVI POLICE COMMISSIONER**

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

Yes

Yes, uploaded certification document

No

State Certification declaration:

I, **TREVOR A. VELINOR**, on behalf of the State of **U.S. Virgin Islands** have the authority to make the following certification on behalf of the State. As a condition of approval of a grant under the authority of 49 U.S.C. section 31102, I certify that the State satisfies all conditions required to qualify for MCSAP funding, as specifically detailed in 49 C.F.R. section 350.207.

2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? TREVOR A. VELINOR
2. What is the title of your certifying State official? USVI POLICE COMMISSIONER
3. What are the phone # and email address of your State official? 340-715-5505
trevor.velinor@vipd.vi.gov

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

Yes

Yes, uploaded certification document

No

State Compatibility Review of Laws, Regulations, Standards, and Orders on CMV Safety Certification

I, **TREVOR A. VELINOR**, on behalf of the State of **U.S. Virgin Islands** have the authority to make the following certification on behalf of the State. I certify that the State has conducted the annual review required by 49 C.F.R. section 350.303 of its laws, regulations, standards, and orders on commercial motor vehicle (CMV) safety and that the State's safety laws, regulations, standards, and orders on CMV safety are compatible with the Federal Motor Carrier Safety Regulations (49 C.F.R. parts 390, 391, 392, 393, 395, 396, and 397) and the Hazardous Material Regulations (49 C.F.R. parts 107 (subparts F and G only), 171-173, 177, 178, and 180), except as may be determined by the Administrator to be inapplicable to a State enforcement program.

For the purpose of this certification, *compatible* means State laws, regulations, standards, and orders on CMV safety that:

- (1) As applicable to interstate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) If in addition to or more stringent than the FMCSRs, have a safety benefit, do not unreasonably frustrate the Federal goal of uniformity, and do not cause an unreasonable burden on interstate commerce when enforced;
- (2) As applicable to intrastate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) Fall within the limited variances from the FMCSRs allowed under 49 C.F.R. sections 350.305 or 350.307; and

(3) As applicable to interstate and intrastate commerce involving the movement of hazardous materials, are identical to the HMRs.

3 - New State Laws, Regulations, Standards, and Orders on CMV safety

The State will provide answers to the questions below regarding any new State laws, regulations, standards, and orders on CMV safety since the last CVSP or annual update that was submitted.

Has the State adopted/enacted any new or updated State laws, regulations, standards, and orders on CMV safety since the last CVSP or annual update was submitted?

Yes No

In the table below, please provide the bill number and effective date of any new legislation. Please include the code section that the bill amended and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

If there is no formal bill, please include a description of standards or orders on CMV safety and effective date and include a hyperlink or URL in the summary.

Law, Regulation, Standard, or Order Adoption			
Bill Number	Effective Date	Code Section Change	Summary of Change
28-0242	October 15, 2010	Title 20 1§390-§396	CMV Inspection and CDL

ACT NO. 7202

BILL NO. 28-0242

TWENTY-EIGHTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2010

An Act amending title 20 Virgin Islands Code adding chapter 36 to enact "The Commercial Motor Vehicle Inspection and Commercial Driver's License Act"

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Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 20 Virgin Islands Code is amended by adding chapter 36 to read as follows:

"Chapter 36

Commercial Motor Vehicles Inspection and Commercial Driver's License

§ 390. Short title

This chapter may be cited as the "The Commercial Motor Vehicle Inspection and Commercial Driver's License Act".

§ 391. Legislative intent

The Legislature intends the Commercial Motor Vehicle Inspection and Commercial Driver's License Act to serve the following purposes:

- (1) To grant authority to the Director of the BMV to adapt administrative rules to implement the Commercial Motor Vehicle Inspection Program and the Commercial Driver's License Program;
- (2) To improve highway safety; and

- (3) To reduce the risk of terrorism in the Virgin Islands.

§392. Definitions

As used in this chapter:

(1) “**Administrative decision**” or “**decision**” means any decision, order or determination of the Department rendered in a particular case which affects the legal rights, duties or privileges of parties and which terminates the proceedings before the Department. The term “administrative decision” or “decision” does not mean or include rules, regulations, standards, or statements of policy of general application issued by an administrative agency to implement, interpret, or make specific the legislation enforced or administered by it unless such a rule, regulation, standard or statement of policy is involved in a proceeding before the Department and its applicability or validity is in issue in such proceeding, nor does it mean or include regulations concerning the internal management of the Department not affecting private rights or interests.

(2) “**Bureau, Bureau of Motor Vehicles or BMV**” means the Virgin Islands Bureau of Motor Vehicles

(3) “**CDL**” means Commercial Driver’s License.

(4) “**CDLIS**” means Commercial Driver License Information System.

(5) “**Commercial motor vehicle**” means any self-propelled or towed vehicle used on public highways in intrastate commerce to transport passengers or property when:

(A) the vehicle has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater; or

(B) the vehicle is designed to carry eight or more passengers, including the driver; or

(C) the vehicle is used in the transportation of materials found by the Virgin Islands Police Department or the Bureau of Motor Vehicles to be hazardous for the purpose of the Hazardous Materials Act (49 U.S.C. sec. 5101 *et seq.* and transported in a quantity requiring placarding under regulations prescribed by the Secretary of the United States Department of Transportation.

(6) “**Department or the Bureau of Motor Vehicles**” means the Virgin Islands Police Department or the Bureau of Motor Vehicles, respectively.

(7) “**Director**” means the Director of the Virgin Islands Bureau of Motor Vehicles.

(8) **"Out-of-service"** means prohibited operation of a commercial vehicle for the period of time necessary to correct a condition contained in the current Out-of-Service Criteria.

(9) **"Out-of-service criteria"** means the criteria approved by the Department or the Bureau of Motor Vehicles for placing commercial motor vehicles and drivers engaged in intrastate commerce out-of-service.

§393. Schedule of fees.

The following schedules are maximum fines for violation of regulations subject to this chapter:

Note: Maximum Accumulated Fine for each group is the highest fine indicated for each group. For example, three separate violations for any group 3 item would be \$150.00 for those three violations.

Note: Group = the severity rating assigned to each violation with the #1, being the most severe.

(a) Schedule I- DRIVER OUT-OF SERVICE

Driver Out-of-Service Criteria

Driver Uniform Fine Schedule

VIOLATION	GROUP	One Violation	Two Violations within same group	Three Violations within same group
Driver under 21	3	\$30.00	\$90.00	\$150.00
No operator's license	3	\$30.00	\$90.00	\$150.00
CDL Violations	3	\$30.00	\$90.00	\$150.00
Medical Waiver when required	3	\$30.00	\$90.00	\$150.00
Intoxicating Beverage (unopened container in cab)	3	\$30.00	\$90.00	\$150.00
Impaired Driver (sick or fatigued)	2	\$100.00	\$200.00	\$300.00
10 Hour Violation	2	\$100.00	\$200.00	\$300.00
Driving After 15 Hours	2	\$100.00	\$200.00	\$300.00
Driving After 60/70	2	\$100.00	\$200.00	\$300.00
No Record of Duty Status	2	\$100.00	\$200.00	\$300.00
No Record of Duty Status (previous 7 days)	2	\$100.00	\$200.00	\$300.00

False Log*	2	\$300.00	n/a	n/a
Disqualified Driver	1	\$500.00	\$1,000.00	\$1,500.00
Drug Possession	1	\$500.00	\$1,000.00	\$1,500.00
Driving Under the Influence (Drugs)	1	\$500.00	\$1,000.00	\$1,500.00
Intoxicating Beverage (detectable presence/ under the influence/ possession of an open container)	1	\$500.00	\$1,000.00	\$1,500.00

(1) Violation of Out-of-Service Notice (each notice, not each offense) is \$1,000.00.

(2)* Any falsification of record of duty status (intentional) = \$300.00

(b) Schedule II- VEHICLE OUT-OF-SERVICE

Vehicle Out-of-Service Criteria

Vehicle Uniform Fine Schedule

VIOLATION	GROUP	One Violation	Two Violations within same group	Three Violations within same group
Audible Air Leak, Brake Chamber	3	\$30.00	\$90.00	\$150.00
Leaking Chamber, Loose Cap	3	\$30.00	\$90.00	\$150.00
Master Cylinder (less than 1/4th full)	3	\$30.00	\$90.00	\$150.00
Exhaust System (All)	3	\$30.00	\$90.00	\$150.00
Windshield Wipers	3	\$30.00	\$90.00	\$150.00
All Others	3	\$30.00	\$90.00	\$150.00
Loose Component	2	\$50.00	\$150.00	\$250.00
Readjustment Limits	2	\$50.00	\$150.00	\$250.00
Brake Lining or Pads	2	\$50.00	\$150.00	\$250.00
Brake Lining or Pads (steering)	2	\$50.00	\$150.00	\$250.00
Parking Brakes (inoperable break-away system)	2	\$50.00	\$150.00	\$250.00
Parking Brakes (non-manufactured holes or cracks in spring brake housing)	2	\$50.00	\$150.00	\$250.00

Brake Hose	2	\$50.00	\$150.00	\$250.00
Brake Tubing	2	\$50.00	\$150.00	\$250.00
Low Pressure Warning Device	2	\$50.00	\$150.00	\$250.00
Air Reservoir Security	2	\$50.00	\$150.00	\$250.00
Air Compressor Mounting Bolts	2	\$50.00	\$150.00	\$250.00
Power Assist Unit (fails to operate)	2	\$50.00	\$150.00	\$250.00
Hydraulic Lines or Hoses Defective	2	\$50.00	\$150.00	\$250.00
Leaks (visible on application)	2	\$50.00	\$150.00	\$250.00
Hydraulic System Failure Warning System	2	\$50.00	\$150.00	\$250.00
Vacuum Hoses or Lines	2	\$50.00	\$150.00	\$250.00
Adjustable Axle (pins and locks)	2	\$50.00	\$150.00	\$250.00
Fuel Tank Mounting and Fasteners	2	\$50.00	\$150.00	\$250.00
Head & Tail Lamps	2	\$50.00	\$150.00	\$250.00
Turn & Stop Lamps	2	\$50.00	\$150.00	\$250.00
Suspension	2	\$50.00	\$150.00	\$250.00
Van/Open-Top Trailer Bodies	2	\$50.00	\$150.00	\$250.00
Wheels and Rims	2	\$50.00	\$150.00	\$250.00
Defective Breaking Action	1	\$100.00	\$300.00	\$600.00
Defective Braking Action (steering)	1	\$100.00	\$300.00	\$600.00
Missing Brake	1	\$100.00	\$300.00	\$600.00
Missing Component	1	\$100.00	\$300.00	\$600.00
Cracked or Broken Drum or Rotor	1	\$100.00	\$300.00	\$600.00
Air Loss Rate Inadequate	1	\$100.00	\$300.00	\$600.00
Tractor-Protection Valve (inadequate/inoperative)	1	\$100.00	\$300.00	\$600.00
Air Compressor (loose or broken pulley)	1	\$100.00	\$300.00	\$600.00
Air Compressor (broken mounting)	1	\$100.00	\$300.00	\$600.00
Electric Brakes (including Breakaway Device)	1	\$100.00	\$300.00	\$600.00
Hydraulic Brakes (no Pedal Reserve)	1	\$100.00	\$300.00	\$600.00
Breakaway Braking Device	1	\$100.00	\$300.00	\$600.00
Vacuum System Reserve	1	\$100.00	\$300.00	\$600.00

Coupling Devices- All (when in use) (cracked, broken, displaced)	1	\$100.00	\$300.00	\$600.00
Tire and Wheel Clearance	1	\$100.00	\$300.00	\$600.00
Safe Loading (unsecured load)	1	\$100.00	\$300.00	\$600.00
Steering Mechanism	1	\$100.00	\$300.00	\$600.00
Steering Axle	1	\$100.00	\$300.00	\$600.00
Emergency Exits (Buses)	1	\$100.00	\$300.00	\$600.00

(c) Schedule III- HAZARDOUS MATERIALSOut-of-Service CriteriaFine Schedule

VIOLATION	GROUP	One Violation	Two Violations within same group	Three Violations within same group
Shipping Papers (missing, incomplete or both)	3	\$30.00	\$90.00	\$150.00
Bulk Package Markings	3	\$30.00	\$90.00	\$150.00
Placarding/Number & Type (discolored, lack of or missing, no horizontal reading, incorrect)	2	\$100.00	n/a*	n/a*
Bulk Packages	1	\$250.00	\$500.00	\$1,000.00
Absence of PIH Markings/ Non-Bulk Packaging**	1	\$250.00	\$500.00	\$1,000.00
Non-Bulk Packaging	1	\$250.00	\$500.00	\$1,000.00
Loading & Securement (no leaks on packages)	1	\$250.00	\$500.00	\$1,000.00
Forbidden Items	1	\$250.00	\$500.00	\$1,000.00
Radioactive Materials Levels (at surface)	1	\$250.00	\$500.00	\$1,000.00
Poison Inhalation Hazard Markings/Bulk Packaging**	1	\$250.00	\$500.00	\$1,000.00

*Two and three violations are not applicable because there is only one group 2 violation in the hazardous materials out-of-service criteria.

** PIH = Poison Inhalation Hazard

(d) Violations of an out-of-service notice issued pursuant to this section is punishable by fines not to exceed \$1,000.00. Nothing contained in this section may be construed as limiting the ability of this Territory to impose additional civil or criminal penalties.

§394. Application

(a) Except as provided in subsection (e) and the federal Hazardous Materials Transportation Act and Regulations and commercial driver's license program, or compatible regulations of the Territory as adopted from time to time, this chapter is the sole and exclusive commercial motor vehicle safety regulations of this Territory.

(b) The Director of Bureau of Motor Vehicles may, by rulemaking conducted in accordance with title 3 V.I.C., chapter 35, promulgate rules and regulations consistent with the Out-of-Service Criteria. In no case may the Director of the Bureau of Motor Vehicles or the Department or the Bureau of Motor Vehicles adopt or enforce or the Police Commissioner enforce out-of-service criteria that differ from those contained in the current Out-of-Service Criteria or impose fines that exceed the schedule of maximum fines established in subsections (393)(a), (393)(b) and (393)(c) of this chapter.

(c) The courts of this Territory may impose, in addition to the maximum fines set forth in section 393, subsections (a), (b) and (c) of this chapter, charges for court costs. The charges may not exceed those imposed for non-commercial vehicle or driver violations, nor may such costs vary because of the state of licensure of the vehicle or driver.

(d) The courts of this Territory may not impose surcharges of any type on the fines for violations of the Commercial Motor Vehicle Inspection and Commercial Driver's License Act or the federal Hazardous Materials Transportation Act and Regulations or compatible regulations of the Territory as adopted from time to time unless the surcharges are regularly imposed, in the same amounts, on non-commercial vehicles or driver violations, nor may such costs vary because of the state of licensure of the vehicle or drivers.

(e) The Department or the Bureau of Motor Vehicles may not issue more than one citation for multiple violations of each item of each group of the criteria set forth in section 394, subsections (a), (b), (c) and (d) of this chapter.

(f) The Director of the Bureau of Motor Vehicles may, by rulemaking conducted in accordance with 3 V.I.C., chapter 35, and the Federal REAL ID Act of 2005, promulgate regulations to implement the Commercial Driver's License Program. These rules may be done through BMV Directives or other supplemental standard operating procedures as required, or both.

(g) The Bureau of Motor Vehicles is the sole entity of the Virgin Islands Government empowered to create territorial driver's licenses for commercial, vehicles-for-hire, non-commercial driver's licenses and identification cards.

§395. Administrative Review

(a) ***Time limit for contesting citation or fine.*** If, after any citation or fine is issued by the Department under this chapter, the person wishes to contest the citation or fine imposed, the person has fifteen working days from receipt of the citation or fine within which to notify the Department that he intends to contest the citation or fine. If within fifteen working days from receipt of the citation and fine issued by the Department the person fails to notify the Commissioner that he intends to contest the citation or fine, and no notice is filed by any employee or representative of the person under subsection (b) of this section within such time, the citation and fine, as assessed, shall be deemed a final order of the Department and not subject to review by any court.

(b) ***Administrative officer.*** The Department shall appoint at least two Administrative Officers who are competent in the laws set out in this chapter to hear and review appeals of citations and fines. The Administrative Officer is an officer of limited powers. The Administrative Officer may not change the existing laws under this chapter nor may the Administrative Officer increase the maximum fines imposed under this chapter.

The Administrative Officer has the following general powers:

(1) To hear and decide all matters referred to it from the Department;

(2) To hear and decide appeals made by any person or persons severally or jointly aggrieved by any citation or fine imposed by the Department. The Administrative Officer may reverse, affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination, as in his opinion ought to be made, and to that end shall have all powers of the officers from whom the appeal is taken.

(c) ***Rules of procedure of the Administrative Officer.*** The Department shall adopt, from time to time, such rules and regulations as it may consider necessary to carry into effect the provisions of this chapter, and except as otherwise provided for in this chapter, the regulations shall include, among other things, procedure for conduct of hearings, forms to be used in the submission of notice of appeal, times when hearings shall be held, and the forms of written reports and findings of the Administrative Officer.

(d) ***Time for hearings.*** The Department shall fix a reasonable time for hearings, giving due notice thereof, but in no case may a hearing on a particular matter be held later than sixty 60 days after the filing of a notice of appeal with the Department on that matter.

(e) ***Decisions.*** Decisions of the Administrative Officer take effect when rendered, and a copy of the decision must be filed with the Department.

(f) ***Action of the Administrative Officer final.*** The action of the Administrative Officer is final, unless an appeal is taken to the Superior Court of the Virgin Islands no later than 30 days after the date upon which the applicant was officially notified of the Administrative

Officer's final action. No case may be reopened, nor may any application be accepted constituting the same appeal involving the same citation and fine.

(g) ***Rehearing.*** The Administrative Officer may grant a rehearing upon any appeal, if any application for such rehearing which includes new evidence to be presented which was not considered by the Administrative Officer at the hearing, is made to the Administrative Officer no later than 30 days after the date upon which the applicant was notified of the Administrative Officer's original action. Only one application for rehearing may be made in any case.

(h) ***Minutes and findings of the Administrative.*** The Department shall keep minutes of the hearings before the Administrative Officer, recording the action of the Administrative Officer. The Department shall also keep records of the Administrative Officer's examinations and other official actions, all of which must be filed promptly with the Department and must be open to public examination at reasonable hours. All findings and actions of the Administrative Officer must be in writing and must set forth the reasons for the action taken irrespective of what action was taken. Findings must be complete, detailed and in specific terms setting forth the reasons for the decisions and must go beyond such generalities as "in the interest of public health, safety and general welfare". In every instance, a statement of the facts upon which such action is based must appear in the minutes.

(i) ***Assistance to the Administrative Officer.*** The Administrative Officer may call upon other governmental departments for assistance in the performance of his duties and it is the duty of such departments to render such assistance as may be reasonably required.

§396. Judicial Review

(a) All administrative decisions of the Department under this chapter are subject to judicial review.

(b) Any person aggrieved by a final decision or action of the Department under this chapter is entitled to judicial review of the decision or action by filing an appeal with the Superior Court of the Virgin Islands no later than 30 days after the date of the action or decision complained of. Upon the appeal, the determinations of the Department as to questions of fact are deemed final in the absence of conclusive showing to the court of fraud or misrepresentation. An appeal under this section does not operate to stay the action of the Department, unless ordered by the court.

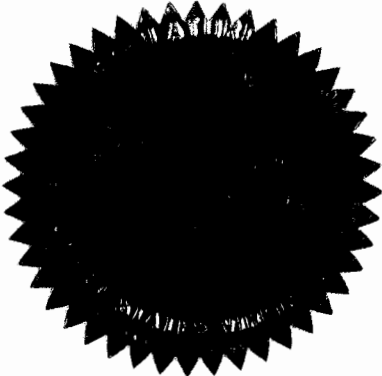
SECTION 2. Title 20 Virgin Islands Code, chapter 33, section 332, subsection (b) is amended by re-designating the existing paragraph (4) as (5) and by inserting a new paragraph (4) to read:

"(4) in the case of commercial vehicles as defined in section 392 of this title, the Director shall require that any registrant of a commercial motor vehicle declare knowledge of the Commercial Motor Vehicle Inspection and Commercial Driver's License Act as codified in section 390 *et seq.* of this title, and the federal Hazardous Materials Act and Regulations as codified in 49 U.S.C., §§355.1 *et seq.* and 49 C.F.R. §§107 to 180 respectively, as applicable to highway transportation."

SECTION 3. Title 20 Virgin Islands Code, chapter 33, section 340, subsection (a) is amended in the first sentence by striking the word "may" and inserting the word "shall" in its stead.

Thus passed by the Legislature of the Virgin Islands on September 20, 2010.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 30th
Day of September, A.D., 2010.



Louis Patrick Hill
Louis Patrick Hill
President

Sammuel Sanes
Sammuel Sanes
Legislative Secretary



Bill No. 28-0242 is hereby approved.

**Witness my hand and the Seal of the
Government of the United States
Virgin Islands at Charlotte Amalie,
St. Thomas, this 15th day of October,
A.D., 2010.**

John P. de Jongh, Jr.
John P. de Jongh, Jr.
Governor